



L A W S

OF THE

State of North Carolina,

PASSED BY THE GENERAL ASSEMBLY,

AT THE

SESSION OF 1842-43.



Published agreeably to the ninety-fifth chapter of the
Revised Statutes.



RALEIGH:

THOMAS J. LEMAY, PRINTER.

.....

1843.

the Supreme Court, it shall be the duty of the Clerk or Clerk and Master of such Superior Court of Law, or Court of Equity, to file such a transcript of the record of the suit on which the appeal shall be granted, as is required by law, together with the bond given for the appeal, with the Clerk of the Supreme Court, on or before the seventh day of the term next ensuing said appeal; that such Clerk, or Clerk and Master, shall be allowed the sum of two dollars for such service in addition to the fees now allowed by law, to be taxed in the bill of costs: *Provided*, that nothing herein contained shall prevent the appellant from filing a transcript of the record as provided for in 25th section of said Act.

Clerk's fee.

Proviso

Penalty for neglect of this duty.

SEC. 2. *Be it further enacted*, That any Clerk, or Clerk and Master, who shall wilfully and corruptly fail to perform any of the duties herein prescribed, shall forfeit and pay to the party appealing, the sum of one hundred dollars, recoverable by action of debt in any Court of record, and shall further be liable to an action on the case, at the instance of any person injured by his neglect of duty.

Penalty on clerk sup'm court for neglect of his duty

SEC. 3. *Be it further enacted*, That if the Clerk of the Supreme Court shall fail for twenty days after the rise of the said Court to deliver to some safe hand or mail for transmission to the Superior Courts of Law and Courts of Equity, such certificates of the decisions of the Supreme Court in cases sent from said Courts, he shall forfeit and pay to the party or parties in whose favor the Supreme Court shall decide, the sum of one hundred dollars, to be recovered by action of debt in any Court of record.

[Ratified the 13th day of January, A. D. 1843.]

CHAP. II.

An Act to authorize the Superior Courts of Law in this State to allow appeals to the Supreme Court in certain cases, without requiring security.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the*

authority of the same, That hereafter, when any free person shall be convicted before any of the Superior Courts of Law in this State, of any capital felony, and upon whom sentence of death shall be pronounced and shall be desirous of appealing from the sentence of said Court, upon his or her making it appear to the satisfaction of the Court that he or she is unable to give security for said appeal, it shall be the duty of the Court by whom said judgment of death shall be pronounced, to allow an appeal to the Supreme Court without requiring the defendant to give security for the same.

Felon unable to give security, may appeal without it.

SEC. 2. *Be it further enacted,* That all laws and clauses of laws, which are or may be inconsistent with the foregoing provisions of this act, be, and the same are hereby repealed.

Repealing clause.

SEC. 3. *Be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified the 21st day of January, A. D. 1843.]

CHAP. III.

An Act regulating Appeals.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That for all offences cognizable under the 41st section of chapter 111, Revised Statutes, the master of the slave be allowed an appeal from the decision of the Justice to the County Court, under such rules, regulations and restrictions as are now provided for in criminal cases.

[Ratified the 9th day of January, A. D. 1843.]

BANKS.

CHAP. IV.

An act to amend an Act passed at the Session of 1834-5, entitled "An Act to establish the Merchants' Bank of the town of Newbern."

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That so much of the seventh section of the above recited Act as forbids the said Banking Corporation to issue notes under the denomination of five (5) dollars, be and the same is hereby repealed; and that hereafter the said Bank shall have full power and authority to issue notes of the denomination of three (3) dollars, and not under; any thing contained in the said act to the contrary notwithstanding.

Bank may
issue three
dollar notes

[Ratified the 26th of December, A. D. 1842.]

CHAP. V.

An act to amend an act entitled an act to re-charter the Bank of Cape Fear, passed in the year 1833.

Preamble.

WHEREAS, by the fourth section of the above recited Act, it is provided that the General Meetings of the stockholders shall be held annually at Wilmington, on the first Monday in January in each and every year, a most inclem-

ent season of the year, when distant stockholders cannot attend without much inconvenience:

Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted Time of annual meetings changed. *by the authority of the same,* That after the next annual meeting of the stockholders of said Bank, to be held on the first Monday in January, 1843, the general meetings of the stockholders shall be held in Wilmington on the first Monday in May, in each and every year during the continuance of the Charter of the said Bank.

[Ratified the 27th day of December, 1842.]

COUNTIES AND COUNTY REGULATIONS.

CHAP. VI.

An Act concerning County Trustees and Treasurers of Public Buildings.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Justices of the Courts of Pleas and Quarter Sessions, in the several Counties in this State (a majority being present,) shall have full power and authority to restore the offices of County Trustee, and Treasurer of Public Buildings, or either of them, in any County

where the same may have been heretofore abolished; and that this Act shall be in force from and after its ratification.

[Ratified the 25th of January, 1843.]

CHAP. VII.

An Act to cede a portion of Rutherford County to the County of Cleaveland.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That all that portion of Rutherford County lying between the Counties of Lincoln and Cleaveland, be ceded to, and made a part of the County of Cleaveland.

SEC. 2. *Be it further enacted, That this act shall be in force from and after its ratification.*

[Ratified the 3rd day of December, 1842.]

CHAP. VIII.

An Act to lay off and establish a new County by the name of "Catawba."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That all that portion of Lincoln County beginning at a point on the Catawba river, and run-*

Taken from a portion of Lincoln,

ning west, so as to pass within one mile and a half north of Lincolnton, to the Cleaveland County line, and thence with the dividing line between Cleaveland and Lincoln to the Burke line; thence with the line dividing Burke and Lincoln to the Catawba River; and thence with the meanderings of said river to the beginning—be, and the same is hereby erected into a new and separate County by the name of Catawba.

SEC. 2. *Be it further enacted*, That B. C. Allen, Lawson Lawrence, Thomas Clonninger, Daniel Lutz, Joseph Wilson, Alexander McCaskill and Daniel Finger, be, and they are hereby appointed Commissioners to select some eligible point in said County which shall be the County seat thereof. Commissioners.

SEC. 3. *Be it further enacted*, That the said County of Catawba, shall be entitled to all the rights, privileges and immunities, of other Counties in this State. Rights, &c.

SEC. 4. *Be it further enacted*, That this act shall be in force from and after its passage.

[Ratified the 12th of December, 1842.]

CHAP. IX.

An Act supplemental to an act passed by the present General Assembly, entitled "An Act to lay off and establish a new County of the name of Catawba."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That all the Justices of the Peace, Officers of Militia and Constables, who reside within the county of Catawba, shall continue to hold, exercise and per- Officers continued in office.

form all their official functions, under the rules, regulations and penalties, as they have hitherto held them in the county of Lincoln.

County Court established. SEC. 2. *Be it further enacted*, That a Court of Pleas and Quarter Sessions shall be, and is hereby established in and for the said county of Catawba, to be held by the Justices of said county, on the second Monday in June and December, in each and every year.

Offences cognizable in superior court, provision for. SEC. 3. *Be it further enacted*, That all criminal offences that may be committed in that part of Catawba, taken from Lincoln, which are cognizable only in the Superior Court of Law, which shall be, and continue under the jurisdiction of the Superior Court of Law of the county of Lincoln, until a Superior Court of Law shall be established for the county of Catawba; and that all persons liable to imprisonment under any process, civil, or criminal in Catawba, before the completion of a Jail in said county, shall be committed to the Jail of any adjoining county as now provided for by law; and that all processes issued from the Superior Courts of Lincoln against any person or persons of Catawba, shall be valid without the seal of office being affixed thereto, until a Superior Court is created for Catawba, and until a Sheriff be elected or chosen for the County of Catawba, all such processes shall be executed by the Sheriff of Lincoln county: *Provided, nevertheless*, That nothing in this act shall be construed so as to prohibit the Sheriff of Lincoln from collecting such moneys as are due, or may become due, on any judgment, before the first Court of Pleas and Quarter Sessions shall be held for the county of Catawba, or from collecting the arrears of taxes in the same manner as he could have done previous to the passage of this act.

Authority of county court, &c. SEC. 4. *Be it further enacted*, That the Court of Pleas and Quarter Sessions established by this act, shall possess and exercise the same authority and jurisdiction as is possessed by other county courts in this State; and all suits of law now pending in the County Court of Lincoln, wherein the citizens of Catawba county are both Plaintiff and Defendant, and all indictments in the County Court of Lincoln, against

the citizens of Catawba, shall be transferred to the County Court of Catawba; and all appeals from the County Court of Catawba, until the Superior Court is established, shall be sent to the Superior Court of Lincoln.

SEC. 5. *Be it further enacted*, That the Commissioners appointed by the act aforesaid, shall select at an early day, a site for the permanent seat of Justice for said county, who, before entering upon the duties of said appointment, shall swear to execute the duties faithfully and impartially, and to locate said site within two miles of the centre of said county, which may be determined by survey or otherwise, if thought necessary by a majority of said Commissioners; and a majority of said Commissioners shall be a quorum to act.

Site for c't house, by whom to be selected.

SEC. 6. *Be it further enacted*, That said Commissioners shall have power to purchase or receive by donation for the use of the county of Catawba, a tract of land not less than fifty acres, to be conveyed to the Chairman of the County Court, and his successors in office, upon which a town shall be laid off, which shall be called and known by the name of *Newton*, where the Court House and Jail shall be erected, and where, after the completion of said Court House, the Clerks and Register shall keep their offices.

Com'srs to purchase land for co. town.

SEC. 7. *Be it further enacted*, That Joshua Wilson, Isaac Holland and Eli Shafford, be appointed Commissioners, who shall run the line as soon as practicable between Lincoln and Catawba, according to the act aforesaid, and make a return of their proceedings, under their hands and seals, to the next County Court of Lincoln and Catawba, to be held next after the passage of this act; and the Commissioners to lay off the town, shall lay off the lots of said town, and after designating such as shall be retained for public use, shall expose, after due notice, the balance, or such portion thereof as may by them be deemed necessary, at public auction, upon a credit of one and two years, taking bond and security, payable to the Chairman of the County Court, and his successors; and upon the payment of said purchase money, the said Chairman, or his successor or successors, shall execute titles

Commissioners to run line, &c.

therefor; which money shall be appropriated to the building of the Court House and Jail of said County of Catawba.

SEC. 8. *Be it further enacted*, That the Justices of said County of Catawba, shall hold the first term of the County Court, at the time aforementioned, to wit: the third Monday after the third Monday in February next, on the thirteenth of March next, at the House of Mathias Barringer, in said county, and at which term, no Jury shall be summoned or needed; and no case shall be tried in which the intervention of a Jury is necessary; and a majority of the Justices of said county, shall elect a Sheriff, Clerk of the County Court, Coroner, Register, County Trustee, Entry Taker, Surveyor, Constables, and all other necessary officers, who shall enter into bond as required by law, and hold and continue said offices, until successors to them are duly chosen and qualified according to the acts of the General Assembly in such cases made and provided; and the said court may appoint the place of its future sessions until the site be chosen, or a Court House be erected for said county.

SEC. 9. *Be it further enacted*, That the County Trustee, or such officer as the County Court of Catawba may appoint, is hereby authorized and empowered to ask, receive and demand from the County Trustee, or such officer of Lincoln County, as may have the fund in charge, such amounts as may have been collected from the citizens resident within the bounds of Catawba County, for the purpose of erecting a new Court House in Lincoln County; and the said Trustee, or such officer of Lincoln County, shall pay over on demand, said amount thus collected from, and paid by the inhabitants of Catawba.

SEC. 10. *Be it further enacted*, That all the papers in said county originally from Lincoln, shall be transferred to said county, *vice versa*; and at the first County Court held in said county, the court, (a majority of the Justices being present) shall appoint seven Wardens of the Poor, for said county, who shall hold their office, and perform all the duties pertaining to said office, until the regular elections for Wardens of the Poor, according to law.

Where justices shall hold court.

Justices to appoint co. officers.

Money for building e. h. how to be paid over.

Papers to be transferred, and wardens appointed.

SEC. 11. *Be it further enacted*, That at the next election for members of Congress, the Sheriff of said county of Catawba, shall hold an election at the several precincts in said county, for a Clerk of the Superior Court of said county, to serve for four years, under the same penalties and liabilities imposed by law on Sheriffs and Clerks of the Superior Courts. Of election of clerk superior co't.

SEC. 12. *Be it further enacted*, That the counties of Lincoln and Catawba, shall continue to be represented in the General Assembly of this State, as one county, and in the name of the county of Lincoln; and the election for electors for President and Vice President of the United States, members of Congress, and members of the Senate and House of Commons, and Governor, shall be held by the Sheriff of Lincoln county, in all the territory hitherto comprehended in said county, at the times and places, and under the same rules, regulations, and restrictions, as hitherto; and certificate of said Sheriff, or other returning officer of said county of Lincoln, shall be as valid as if this act had never been passed. Other elections.

SEC. 13. *Be it further enacted*, That the fourth section of an act, passed at the present session of the General Assembly, entitled "An act to lay off and establish a new county by the name of Catawba," be, and the same is hereby repealed, and that this section only shall take effect, and be in force from and after the ratification. Repealing clause.

[Ratified the 14th of January, 1843.]

CHAP. X.

An act to lay off and establish a County by the name of McDowell.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That all that portion of the counties of Rutherford and Burke, beginning at a point two miles south of the corner of Burke and Rutherford, in said line; from thence a direct course to Cove Creek, at a point two miles south of John Bradley's; thence to, and with the dividing ridge between Rock House Creek and Stoney Creek, crossing Second Broad River at the mouth of Rock House Creek; thence a direct course to the Burke line, at or near Conway's Knob; thence with the Burke and Rutherford line, to a point on the South Mountains, two and one half miles east of Cane's Creek; thence a direct line crossing the top of the Pilot Mountain, to the mouth of Shadrick's Creek; thence a direct course to the top of Linville Mountain, and with the said mountain to the Yancey line; thence with the Yancey line, to the Buncombe line, and with said line to the beginning; be, and the same is hereby created into a separate and distinct County by the name of McDowell.

Erected out
of portions
of Rutherford
and
Burke.

[Ratified the 19th of December, A. D. 1842.]

CHAP. XI.

An act supplemental to an act passed by the present General Assembly, entitled "An act to lay off and establish a County by the name of McDowell."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the County of McDowell shall be, and is hereby invested with all the rights, privileges and immunities of the other counties in this State. County rights.

SEC. 2. *Be it further enacted,* That the Justices of the Peace, and Officers of Militia, who reside within the limits of the county of McDowell, shall continue to hold and exercise all the official powers and authorities in and for said county, that they have hitherto held and exercised in the counties of Burke and Rutherford, Offic'rs continued in office.

SEC. 3. *Be it further enacted,* That the Constables now residing in the County of McDowell, shall continue to hold their offices, and perform all duties appertaining thereto, until the first County Court to be held for said County, under the same rules, regulations and penalties, as Constables are subject to in other counties in this State. Of constables.

SEC. 4. *Be it further enacted,* That a Court of Pleas and Quarter Sessions shall be, and the same is hereby established, in and for the County of McDowell, to be held by the Justices of said county; the first Court to be held on the second Monday in March, in the year one thousand eight hundred and forty-three, and thereafter, the said Court of Pleas and Quarter Sessions shall be opened, and held for said county, at the times following, to wit: the winter and summer sessions on the fifth Monday after the fourth Monday in June and December, in each and every year; and the spring and fall sessions, on the seventh Monday after the Of county court.

fourth Monday in March and September, in each and every year; and that the sessions of said Court shall be held at the house of Jonathan L. Carson, until the seat of Justice for said county shall be established as herein provided; and that at the first session of said Court, a majority of the Justices of the Peace being present, shall elect a Clerk, Sheriff and Coroner, Register, Entry Taker, Surveyor, Constables and all other officers for said county, who shall enter into bonds as required by law, and shall hold and continue in said offices until successors to them are duly chosen and qualified according to the acts of the General Assembly in such cases made and provided.

Transfer of
documents

SEC. 5. *Be it further enacted*, That the Court of Pleas and Quarter Sessions, established by this act, shall possess and exercise the same power, authority and jurisdiction, as is possessed and exercised by other County Courts in this State; and shall have exclusive jurisdiction of all crimes committed within the limits of McDowell County, of which the County Courts of other counties in this State have jurisdiction, until a Superior Court of Law is established for said county; and all suits at law now pending in the County Courts of Burke and Rutherford, wherein the citizens of McDowell are both plaintiffs and defendants, and all indictments in said Courts against citizens of McDowell, County, shall be transferred to the County Court of McDowell, in the manner now provided for transferring suits from one county to another; and all appeals from the County Court of McDowell, shall be sent to the Superior Court of Burke, for trial, when the plaintiffs reside in that portion of McDowell taken from Burke, and to the Superior Court of Rutherford, when the plaintiffs reside in that portion of said county taken from Rutherford.

Of criminal
offences.

SEC. 6. *Be it further enacted*, That all criminal offences which may be committed in that part of McDowell County taken from Burke, which are cognizable only in the Superior Court of Law, shall be and continue under the jurisdiction of the Superior Court of Law of the County of Burke, and similar offences committed in that portion of said county taken from Rutherford, shall be, and continue under the jurisdiction of the Superior Courts of Rutherford,

until a Superior Court of Law shall be given to the County of McDowell.

SEC. 7. *Be it further enacted*, That all persons who may be liable to imprisonment under any process, either criminal or civil, in McDowell county, before the completion of a jail in said county, shall be committed to the jail of either the county of Burke or Rutherford. Imprisonment, provision for.

SEC. 8. *Be it further enacted*, That all process issued from the Superior Courts of Burke and Rutherford, against the citizens of McDowell, shall be valid without the seal of office being affixed thereto, until a Superior Court is created for the county of McDowell; and all process so issued, until a Sheriff shall have been elected for the county of McDowell, shall be executed by either the Sheriff of Burke or Rutherford; and after that time such process shall be directed to the Sheriff of McDowell and be executed by him. Of process of superior court.

SEC. 9. *Be it further enacted*, That David Corpening and Joseph J. Erwin, of the county of Burke; Thomas Baker, of the county of Yancey; Samuel W. Davidson, of the county of Buncombe; and A. W. Whitesides, of the county of Rutherford, are hereby appointed Commissioners to select and determine upon a site for a permanent seat of justice for said county, who shall locate the same as near the centre of said county as practicable; and in case either of said commissioners shall die, resign, or refuse to act, then the vacancy, so created, shall be filled by the other commissioners, or a majority of them; and a majority of said commissioners shall have power to act. Commissioners to fix upon site for c. h.

SEC. 10. *Be it further enacted*, That a majority of said commissioners shall have power to purchase or receive by donation, for the county of McDowell, a tract of land, consisting of not less than twenty-five acres, to be conveyed to the chairman of the county court of said county, and his successors in office, upon which a town shall be laid off and called "Marion;" where the Court House and Jail shall be erected, and where, after the completion of the Court House, the courts of said county shall be held, and the Clerks and Registers shall keep their offices. Site for town, commissioners to purchase

Provides for laying off lots. SEC. 11. *Be it further enacted*, That the county court of McDowell, at its first session, shall appoint five commissioners to lay off the lots of said town, and after designating such as shall be retained for public uses, shall expose, after due notice, the residue to sale, at public auction, upon a credit of one and two years, and shall take from the purchasers, bonds and security for the purchase money, made payable to the chairman of the county court and his successors; and upon the payment of the purchase money, the chairman and his successors shall execute title therefor; which money shall be appropriated to the building of a Court House and Jail.

Moneys, collection of. SEC. 12. *Be it further enacted*, That nothing in this Act shall be so construed, as to prohibit the Sheriffs of Burke and Rutherford from collecting such moneys as are due or may become due, on any Judgment, before the first Court of Pleas and Quarter Sessions that shall be held for McDowell county.

Arrears of taxes, collection of. SEC. 13. *Be it further enacted*, That this Act shall not be so construed as to prevent the Sheriffs of Burke and Rutherford from collecting all arrears of taxes in the same manner as they could have done previous to the creation of the county of McDowell: *provided, nevertheless*, that the Sheriffs of Burke and Rutherford counties shall not collect any taxes in the county of McDowell, or of the citizens of said county, imposed by the county courts of Burke and Rutherford, and which are to be collected in the year one thousand eight hundred and forty three; but that the same may be collected upon the tax duplicates of the Clerks of Burke and Rutherford by the Sheriff of McDowell, and be paid over to the use of McDowell county.

Of Jurors. SEC. 14. *Be it further enacted*, That the courts of Pleas and Quarter Sessions of Burke and Rutherford shall have power until a Superior court is created for McDowell, to draw Jurors from said county as heretofore, for Burke and Rutherford Superior courts; and the Jurors so drawn shall be summoned by the Sheriff of McDowell, and for non atten-

dance shall be subject to the same penalties as are now prescribed by law.

SEC 15. *Be it further enacted*, That the Superior courts of Burke and Rutherford counties, shall continue to have and exercise the same jurisdiction in matters of a civil nature, both at law and equity, in the portions of McDowell taken from the counties of Burke and Rutherford as has been heretofore held and exercised by said courts, until a Superior Court of Law and Equity shall be given to the county of McDowell. Superior court jurisdiction.

SEC. 16 *Be it further enacted*, That the county of Burke, and that portion of the county of McDowell taken from Burke, shall continue to be represented in the General Assembly of this State as one county, and in the name of the county of Burke, as heretofore, and that the county of Rutherford and that portion of McDowell taken from the county of Rutherford, shall continue to be represented in the General Assembly of this State as one county, and in the name of the county of Rutherford, as heretofore; and the elections for Members of the General Assembly, Members of Congress, Electors of President and Vice President of the United States, and Governor, shall be held by the Sheriffs of Burke and Rutherford, within all that portion of territory hitherto comprehended within the limits of the counties of Burke and Rutherford, under the same rules, regulations and restrictions as hiterto; and the certificate of said Sheriff or other returning officer of said counties, shall be as valid as if this act had never been passed; and the court of Pleas and Quarter Sessions for the counties of Burke and Rutherford are hereby authorized and required to appoint inspectors for holding elections for Members of the General Assembly, Members of Congress, President and Vice President, and Governor as heretofore: *Provided*, that all other elections shall be held in the county of McDowell in the same manner, and under the same rules, regulations and restrictions, as are now provided for holding elections in this State. How represented.

[Ratified the 21st day of January, 1843.]

CHAP. XII.

An Act to lay off and establish a county by the name of Union.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That a new county, by the name of Union, be, and the same is hereby laid off and established of parts of the counties of Mecklenburg and Anson: Beginning at the corner of Anson and Mecklenburg, on the South Carolina line, and runs East on the South Carolina line, eleven miles; thence East of a parallel of the county line, so that it shall be thirteen miles East of the Cabarrus corner, on Rocky River; thence up the various courses of Rocky River to the corner of Anson and Mecklenburg; thence with the Cabarrus line, three miles; thence a direct line to where the Providence road crosses Six Mile Creek; thence with the meanders of the creek, to the South Carolina line; thence with the South Carolina line to the beginning; which shall have all the powers, authorities and immunities of other counties in this State.

Erected out
of parts of
Mecklen-
burg and
Anson.

[Ratified the 19th day of December, A. D. 1842.]

CHAP. XIII.

An Act supplemental to an Act, passed by the present General Assembly, entitled "An Act to lay off and establish a county by the name of Union."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the county of Union shall be, Rights &c. and is hereby invested with all the rights, privileges and immunities of the other counties in this State, except as is hereafter provided.

SEC. 2. *Be it further enacted,* That William Wilson, James A. Dunn, Silas Stewart, Moses Culverton, and James Marsh, are hereby appointed commissioners to select and Site for c
h. commis-
sioners to
select. determine upon a site for a permanent seat of Justice for said county, who shall locate the same as near the centre as a suitable location can be obtained, provided it shall be within two miles of the centre of said county, which centre shall be taken to be that point in a diagonal line, running from the North East to the South West extremity of said county, which is equi-distant from said extremities.

SEC. 3. *Be it further enacted,* That a majority of said commissioners shall have power to purchase, or receive by donation for the county of Union, a tract of land consisting of Commissi-
oners t' pur-
chase and
lay off land
for town. not less than fifty acres, nor more than one hundred, to be conveyed to the chairman of the county court of said county, and his successors in office, upon which a town shall be laid off and called Monroe, where the Court House and Jail shall be erected, and, where, after the completion of said Court House, the courts of said county shall be held, and the Clerks and Registers shall keep their offices. And the said commissioners shall lay off the lots of said town, and after designating such as shall be retained for public uses, shall, whenever required by the county court of said county,

expose, after due notice, the residue to sale, at public auction, upon a credit of one and two years, and shall take from the purchasers bonds and security for the purchase money, made payable to the chairman of the county court and his successors; and upon the payment of the purchase money, the chairman or his successors shall execute title therefor; which money shall be appropriated to the building of a Court House and Jail.

SEC. 4. *Be it further enacted*, That the Justices of the Peace and officers of the Militia, who reside within the limits of the county of Union, shall continue to hold and exercise all the official powers and authorities in and for said county, that they have hitherto held and exercised in the counties of Mecklenburg and Anson.

Officers to
continue in
office.

SEC. 5. *Be it further enacted*, That the constables now residing within the limits of the county of Union, shall continue to hold their offices and perform all duties appertaining thereto, until the first county court to be held for said county; under the same rules, regulations and penalties as constables are subject to in this State.

Constables.

SEC. 6. *Be it further enacted*, That there shall be a Superior court of Law and Equity opened and held at Lebat's Cross Roads, in the said county of Union, on the second Monday of February, in the year one thousand eight hundred and forty four, and the second Monday in August following, and at the same place from time to time, unless a Court House shall be built in the mean time, as provided for in this act, at the town therein to be established; then at said town and Court House, on the second Monday in February and August, in each and every year thereafter; which courts shall have the same jurisdiction that the present Superior courts of Law and Equity in the several counties in this State now have and exercise.

Of superior
court.

SEC. 7. *Be it further enacted*, That a court of Pleas and Quarter Sessions shall be, and the same is, hereby established in and for the county of Union, to be held by the Justices of said county, on the first Monday in January, A-

County
court estab-
lished &c.

pril, July and October, in each and every year; and that the first session of said court shall be held at Lebat's Cross Roads, on the first Monday in April next, and at the same place, from time to time, until a seat of Justice shall be established for said county, as is hereby provided; and at the first session of said court, a majority of the Justices of the Peace being present, they shall elect a Clerk of the Superior court, a Clerk of the county court, county Attorney, Sheriff, Coroner, Register, Entry Taker, Surveyor, Constables and all other officers for said county, who shall enter into the bonds required by law, and shall hold and continue in said office, until successors to them are duly chosen and qualified according to the acts of the General Assembly, in such cases made and provided.

Court
where held.

To elect of
ficers.

SEC. 8. *Be it further enacted*, That the court of Pleas and Quarter Sessions, established by this act, shall possess and exercise the same power, authority and jurisdiction, as is possessed and exercised by other county courts in this State; and all suits at law, of which other county courts of other counties in this State have jurisdiction, now pending in the county court of Mecklenburg and Anson, wherein the citizens of Union are both plaintiff and defendants, or where the citizens of Union are defendants; and all indictments and criminal proceedings against citizens of Union county, in the county courts of Mecklenburg and Anson, of which other county courts in this State have Jurisdiction, shall be transferred to the county court of Union, in the manner now provided for transferring suits from one county to another.

Authority
and juris-
diction of
c. court.

SEC. 9. *Be it further enacted*, That all suits of law, or in equity, now pending in the Superior courts of Mecklenburg and Anson, of which the Superior courts in this State have jurisdiction, and wherein both plaintiff and defendants are citizens of Union, or wherein the citizens of Union are defendants and the plaintiffs are neither citizens of Anson or Mecklenburg, and all indictments and criminal proceedings against the citizens of Union, which shall be pending in the Superior Courts of Anson and Mecklenburg, and which are cognizable in the Superior Courts of this State, shall be trans-

Of suits in
sup'r court.

ferred from the fall terms of Anson and Mecklenburg Superior Courts, to be held in the year one thousand eight hundred and forty-three, to the Superior Court of Union county, in the same manner as is now prescribed by law for transferring suits from one county to another: *Provided*, that nothing in this section contained shall be so construed as to require the transferring of any suit, indictment or other proceedings before the appointments of the several Courts to which they are to be transferred.

Jurisdiction
of criminal
cases.

SEC. 10. *Be it further enacted*, That until the respective Fall Terms of Anson and Mecklenburg Superior Courts, to be held in the year one thousand eight hundred and forty-three, the Superior Court of Anson shall have jurisdiction of all criminal offences cognizable only in the Superior Courts of this State, which shall be committed in that portion of Union taken off Anson; and the Superior Court of Mecklenburg shall have jurisdiction of similar offences committed in that portion of the said county of Union, taken off Mecklenburg; and in all such cases, it shall be the duty of the Justices of the Peace of Union County, when they shall give judgment against the defendant in any State's warrant for offences as aforesaid, to bind over the defendant and witnesses, and make their returns to the Superior Courts of Anson and Mecklenburg, as they were heretofore bound to do.

Of imprisonment.

SEC. 11. *Be it further enacted*, That all persons who may be liable to imprisonment under any process either civil or criminal in Union county, before the completion of the Jail therein, may be committed to the Jail of Mecklenburg or Anson.

Moneys collected of.

SEC. 12. *Be it further enacted*, That nothing in this act contained shall be so construed, as to prohibit the Sheriff of Anson or Mecklenburg from collecting such sum or sums of money as are due, or may become due on any judgments when the executions shall come to his hands, before the first Court of Pleas and Quarter Sessions, for the County of Union.

Sheriffs to continue to exercise their functions &c.

SEC. 13. *Be it further enacted*, That the Sheriff of Anson County shall continue to perform all duties pertaining to his office of Sheriff, in that portion of Union County taken off Anson; and the Sheriff of Mecklenburg in that portion of

Union taken off Mecklenburg, under the same liabilities and penalties, and shall receive the same fees as heretofore provided by law, until the appointment of a Sheriff for the county of Union.

SEC. 14. *Be it further enacted*, That nothing in this act is to be so construed as to prevent the Sheriffs of Anson and Mecklenburg, from collecting all arrears of taxes in the same manner as they could have done previous to the creation of the County of Union; *Provided, nevertheless*, that the Sheriff of Anson and Mecklenburg shall not collect any tax in the county of Union, or of the citizens of said county, imposed by the County Courts of Anson and Mecklenburg, and which are to be collected in the year one thousand eight hundred and forty-three; but that the same to be collected by the Sheriff of Union, upon the tax duplicates of the Clerks of the counties of Anson and Mecklenburg, to the use of Union county.

Arrears of
taxes, col-
lection of.

SEC. 15. *Be it further enacted*, That in the distribution of the nett annual income of the Literary Fund, the Literary Board shall pay over as heretofore, to the Chairman of the Boards of Superintendents of the counties of Anson and Mecklenburg, to be distributed by them as is now provided by law, until the next General Assembly.

Literary
Fund, how
paid over.

SEC. 16. *Be it further enacted*, That all elections in said county of Union, shall be held in the same manner, and under the same rules and regulations, as are now provided by law, for holding elections in other counties of this State, except in such cases as shall be otherwise provided by acts of the present General Assembly.

Of electi'ns

SEC. 17. *Be it further enacted*, That all paupers in Anson and Mecklenburg, originally from those parts of said counties which now form the county of Union, after the year one thousand eight hundred and forty-three, shall be transferred to the Wardens of Union county.

Of paupers

SEC. 18. *Be it further enacted*, That the county of Union, shall compose a part of the sixth Judicial district; and the Judges and Solicitors shall attend said courts, under the

Attached to
6th circuit

same provisions and liabilities, and receive the same pay, as is received for attending the Superior Courts of other counties in said district.

Judge to ap- SEC. 19. *Be it further enacted*, That the Judge who point C. M. shall ride the Fall Circuit, in the year one thousand eight E. hundred and forty-three, of the sixth Judicial district, shall appoint the Clerk and Master of the county of Union.

Mandamus when to issue against comm'rs. SEC. 20. *Be it further enacted*, That if the aforesaid Commissioners, shall fail to perform the duties assigned them by this act, by neglect, refusal, or otherwise, so that it shall become necessary to issue a Mandamus, or other proceedings against them, to compel the performance of the aforesaid duties, the Superior Court of Mecklenburg, shall have jurisdiction of the same, until the Fall Term of Mecklenburg Superior Court, one thousand, eight hundred and forty-three.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. XIV.

An Act supplemental to an Act, passed at the General Assembly of 1840 and '41, entitled "An Act to lay off and establish a county by the name of Caldwell."

Superior Court, provision for. SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That there shall be a Superior Court of Law, and Court of Equity, opened and held at the Court House in Lenoir, in the county of Caldwell, on the fourth Monday after the fourth Monday in March next, and regularly thereafter on the fourth Monday after the fourth Monday in September and March, in each and every year; which Courts shall have the same jurisdiction that the present Superior Courts of Law, and Courts of Equity, in the several counties in this State, now have and exercise.

SEC. 2. *Be it further enacted*, That the County of Caldwell shall hereafter constitute a part of the seventh Judicial Circuit. Attached to
7th circuit.

SEC. 3. *And be it further enacted*, That a Clerk of the Superior Court, and Clerk and Master in Equity, both men of skill and probity, and residents in the county of Caldwell, shall be appointed for the same, by the Judge attending the first term of said court. They shall give bond and security as directed by law for such officers, and take the oath prescribed for their qualification. The Clerk so appointed, shall hold his office until the regular election and qualification of his successor. The County Court of Caldwell shall appoint thirty Jurors to attend the said Court, in the same manner as Jurors are appointed to attend other Superior Courts in this State. Of clerks &
jurors.

SEC. 4. *Be it further enacted*, That all civil causes depending in the Superior Court of Law and Equity, for Burke and Wilkes, the plaintiffs in which causes reside in Caldwell County; and also all actions of ejectment and trespass *quare clausum fregit*, for or concerning lands in Caldwell county, shall be transferred, with all process and proceedings therein, to the Superior Court of Law hereby established for the county of Caldwell; and the provisions of the act, passed in the year eighteen hundred and six, entitled "an act amendatory and supplementary to an act, entitled "an act for the more convenient administration of justice," and all other acts supplemental thereto, for the appointment, summoning and attendance of Jurors; for the transmission and receipt of the records, proceedings and papers; for docketing and bringing the causes forward for trial; for summoning witnesses; for issuing original and mesne process, prior to the first term of Caldwell Superior Court; and generally for all other purposes relative to the preparation for trial, and determination of the business of said court; be, and the same are hereby extended to the Superior Court of Caldwell county. The neglect and failures of the several officers of the Superior Courts of Burke and Wilkes counties, and of the County Courts of Caldwell County, shall be subject to the Transfer of
causes &c.

same penalties and forfeitures, as are prescribed for similar neglects and failures, by the said act; and the said officers shall be entitled to the same fees for their services, as are established by the said act for like services.

Repealing
clause.

SEC. 5. *Be it further enacted*, That so much of the law as allows to Burke county a Superior Court on the fourth Monday after the fourth Monday in September and March, and all other laws and clauses of laws, that come in conflict with this act, be, and the same are hereby repealed.

SEC. 6. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 21st January, 1843.]

COURTS, TIME OF HOLDING &c.

CHAP. XV.

An act to alter the time of holding one of the terms of the Supreme Court.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Term of the Supreme Court which is directed to be holden on the last Mondy of December, in each and every year, shall hereafter be holden on the thirtieth day of December, in each and every year: Provided always, that if the said thirtieth day of December shall happen on a Sunday, the Court shall not be opened until the succeeding day.

To be held
on 30th
December-

SEC. 2. *And be it further enacted, That all executions, rules, process and notices that have been issued or may issue returnable to the last Monday of December in this present year, shall be held and deemed in law to be returnable to the thirtieth day of December.*

SEC. 3. *And be it further enacted, That this Act shall be in force from and immediately after its ratification.*

[Ratified the 28th of November, A. D. 1842.]

CHAP. XVI.

An act for the more speedy administration of Justice.

Judge may
appoint spe-
cial term
of superior
court.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That when it shall happen that the business upon the civil docket, of any of the Superior Courts cannot be done at the regular term thereof, the Judge holding such Superior Court, may, and he is hereby empowered to appoint a special term, which shall be held, and all causes remaining upon the civil docket tried, under the same rules and regulations as are now prescribed for holding the regular term of said court.

When to
be appoint-
ed &c.

SEC. 2. *Be it further enacted,* That when any Judge shall under the provisions of this act, believe a special term necessary, he shall make an order at the regular term, next preceding the time of holding such special term, appointing the time of holding such special term; at which time it shall be the duty of witnesses, the Sheriff, Clerk, and all other officers of said court, to attend in the same manner, and be subject to the same penalties for non-attendance, as they would be for failing to attend a regular term.

Jurors how
drawn.

SEC. 3. *Be it further enacted,* That twenty-four Jurors shall be drawn in the same manner as now prescribed by law for drawing Jurors for the regular terms, who shall be summoned by the Sheriff to attend the special term, under the same rules and regulations, and subject to the same penalties for non attendance, as Jurors at the regular terms of said courts.

Process re-
turnable.

SEC. 4. *Be it further enacted,* That no process, except subpoenas, shall be returned to said special term, but may be made returnable to the next regular term of said court; any law to the contrary notwithstanding.

SEC. 5. *Be it further enacted*, That whenever the Judge as aforesaid, shall appoint a special term to be held in any county in the State, he shall notify the Governor thereof whose duty it shall be to designate one of the Judges to hold said court, and notify said Judge of his appointment: *Provided nevertheless*, that the Governor shall not designate the Judge who appointed the special term to hold the same. Judge shall notify Governor.

SEC. 6. *Be it further enacted*, That each Judge holding a special Court as authorized by this act, shall be entitled to receive ninety dollars from the Public Treasury, for each and every court so holden, on the production of the Clerk's certificate, in conformity with the existing law. Judges' pay

SEC. 7. *Be it further enacted*, That this act shall not extend to those counties in the State in which the County Courts are by law, wholly or partially dispensed with, or in which Juries are dispensed with at any of the regular terms thereof, unless the said county shall pay the Judge for holding said court, according to the provisions of this act; which payment shall be made out of the county funds, by the proper officer having custody of the same, upon the presentation by said Judge of the certificate of the Clerk of the court, that said Judge has held the same; and it is hereby further enacted, that the County Court of said counties, (a majority of the Justices being present) be, and are hereby authorized to levy a tax sufficient for said payment. Counties not to extend to.

SEC. 8. *Be it further enacted*, That all laws and clauses of laws, coming in conflict with the provisions of this act, are hereby repealed; and that this act shall take effect, and continue in operation for the term of two years from and after its passage, and no longer.

[Ratified the 20th day of January, A. D. 1843.]

CHAP. XVII.

An Act to arrange the Sixth Judicial Circuit, and to appoint the times of holding the several Courts therein.

Of what
counties
composed.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Sixth Judicial Circuit, shall be composed of the following counties; viz: Union, Cabarrus, Mecklenburg, Lincoln, Iredell, Rowan, Davie, Surry, Ashe, Wilkes and Catawba.

Times of
holding the
courts.

SEC. 2. *Be it further enacted,* That the Superior Courts of Law and Equity, in the Sixth Judicial Circuit, in the several counties thereof, shall be opened, and held at the times herein after expressed, and each respective court shall continue in session one week, unless the business of the court shall be sooner determined, viz: in the county of Union, on the second Monday in February and August; in the county of Cabarrus, on the third Monday in February and August; in the county of Mecklenburg, on the fourth Monday in February and August; in the county of Lincoln, on the first Monday after the fourth Monday in February and August; in the county of Iredell, on the second Monday after the fourth Monday in February and August; in the county of Rowan, on the third Monday after the fourth Monday in February and August; in the county of Davie, on the fourth Monday after the fourth Monday in February and August; in the county of Surry, on the fifth Monday after the fourth Monday in February and August; in the county of Ashe, on the sixth Monday after the fourth Monday in February and August; in the county of Wilkes, on the seventh Monday after the fourth Monday in February and August; in the county of Catawba, on the eighth Monday after the fourth

Monday in February and August; *Provided*, that nothing herein contained shall be so construed as to authorize the holding of a Superior Court of Law and Equity, for the county of Catawba, until the eighth Monday after the fourth Monday in August, one thousand eight hundred and forty-three; and for the county of Union until the second Monday in February in the year one thousand eight hundred and forty-four.

Sup. Court,
where to be
held.

SEC. 3. *And provided further*, That until the site of the Public Buildings shall be selected, and the Court House erected, as provided in the act passed at the present session of the General Assembly, entitled "an act supplemental to an act passed by the present session," entitled "an act to lay off and establish a new county by the name of Catawba," the Superior Courts for the county of Catawba, as provided for in this act, shall be opened, and held at the house of Matthias Barringer, in said county; and that the Solicitor for the State, for attending said court, shall receive the same compensation as for attending other Superior courts in this State

Process, re-
turnable.

SEC. 4. *Be it further enacted*, That all process now returnable to the several courts of Law and Equity, in the sixth circuit, as heretofore established by law, shall be in force, and be returnable to the several Superior Courts of Law and Equity, in said circuit, at the times established by this act.

[Ratified the 26th of January, A. D. 1843.]

CHAP. XVIII.

An Act regulating the time of holding the Courts of Pleas and Quarter Sessions, in the Counties composing the 7th Judicial Circuit.

Courts when held. SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the winter and summer Courts of Pleas and Quarter Sessions of the several counties composing the 7th Judicial Circuit, shall be opened and held at the following times, to wit: Cherokee, on the first Monday in December and June; Macon, on the second Monday in December and June; Haywood, on the third Monday in December and June; Henderson, on the fourth Monday in December and June; Buncombe, on the first Monday after the fourth Monday in December and June; Yancey, on the second Monday after the fourth Monday in December and June; Burke, on the third Monday after the fourth Monday in December and June; Caldwell, on the fourth Monday after the fourth Monday in December and June; McDowell, on the fifth Monday after the fourth Monday in December and June; Rutherford, on the sixth Monday after the fourth Monday in December and June; Cleaveland, on the 7th Monday in December and June, in each and every year after the first day of May, in the year one thousand eight hundred and forty-three.

Courts of Caldwell. SEC. 2. *Be it further enacted,* That the Spring and Fall Terms of the Court of Pleas and Quarter Sessions of Caldwell county, shall be held at the same time of holding the Superior Courts for that county.

Courts of McDowell. SEC. 3. *Be it further enacted,* That the Spring and Fall Terms of the Court of Pleas and Quarter Sessions of McDowell county, shall be held on the 7th Monday after the fourth

Monday in March and September, in each and every year.

SEC. 4. *Be it further enacted*, That all laws, and clauses of laws coming in conflict with this act, be, and the same are hereby repealed.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. XIX.

An Act to alter the time of holding the Superior Court of Law and Equity, and the Court of Pleas and Quarter Sessions for the County of Carteret.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the Superior Court of Law and Equity, for the county of Carteret, shall be hereafter opened and held on the third Monday after the fourth Monday in March and September, in each and every year, under the same rules and regulations, as are now provided by law for holding said Courts.

Superior
court when
held.

SEC. 2. *Be it further enacted*, That the Court of Pleas and Quarter Sessions of Carteret county, shall hereafter be opened and held on the third Monday in February, May, August and November, in each and every year, under the same rules and regulations, as are now prescribed for holding said courts.

County
Court
where held

SEC. 3. *Be it further enacted*, That all proceedings and process of every kind, depending in or returnable to any of said courts, shall stand continued and be returnable to the several terms herein before expressed, respectively; any law to the contrary notwithstanding.

SEC. 4. *And be it further enacted*, That all laws and clauses of laws coming within the meaning and provisions of this act, be, and the same are hereby repealed.

[Ratified the 20th day of January, A. D. 1843.]

CONSTABLES.

CHAP. XX.

An Act to amend the 4th Section of the Revised Statutes,
entitled "an act concerning Constables."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That when it shall become necessary, under the provisions of the 4th section of the above recited act, for the court to appoint a Constable in any Captain's district in this State, the Court shall appoint some one residing in the district for which the appointment shall be made.

SEC. 2, *Be it further enacted.* That this act shall take effect, and be in force from and after the ratification thereof.

[Ratified the 21st day of January, A. D. 1843.]

CORONERS.

CHAP. XXI.

An Act to amend "an concerning Coroners, Revised Statutes, Chapter 25, Section 4.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the* ^{When Jus-} *authority of the same,* ^{ices shall} That an act entitled "an act con- ^{appoint cor-} *cerning Coroners,"* Revised Statutes, Chapter 25, Section 4, be so amended, that whenever it shall so happen, either by death or otherwise, that there shall be no Coroner in any county in this State, it shall be the duty of any three Justices of the Peace of said county, to appoint some person to act as Coroner in said county, until the next Court of Pleas and Quarter Sessions of said county; and the Coroner so appointed, shall be clothed with the same powers, and subject to perform all the duties now required of Coroners by law.

SEC. 2. *Be it further enacted,* That the Coroner so appointed shall, before entering upon the discharge of his duties as such, ^{Coroner to} give bond and sufficient security, as required by section ^{give bond.} third of said act, to be approved by the said Justices of the Peace, for the performance of his duties while in office.

SEC. 3. *Be it further enacted,* That it shall be the duty of the said Justices of the Peace, to place the said bond of the said Coroner, with a certificate under their hands and seals of his appointment appended thereto, in the hands of the Clerk of the Court of Pleas and Quarter Sessions of said County, whose duty it shall be to file and keep the said bond and certificate among the records of his office, in like manner as the official bonds of Coroners are now kept. ^{Bond to be} ^{filed with} ^{clerk.}

[Ratified the 17th of January, 1843.]

CORPORATIONS.

CHAP. XXII.

An Act to revive and continue in force an act, passed in the year one thousand eight hundred and thirty-nine, entitled "an act to incorporate the Weldon Rail Road Company," and to amend the same.

Former act
revived.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That an act entitled "an act to incorporate the Weldon Rail Road Company," passed in the year one thousand eight hundred and thirty nine, be, and the same is hereby revived and continued in full force, in as full and ample a manner as if every clause, sentence, paragraph and section therein contained, not inconsistent with the provisions of this act, were herein set forth at full length; and that all the rights, privileges, immunities and advantages therein granted, shall be held possessed and enjoyed by the said Company, in the same manner as if the limitation of time within which the work was to have been commenced and finished, contained in the thirty-sixth section of said act, had not been inserted therein; any law to the contrary notwithstanding.

Additional
commiss'rs
appointed.

SEC. 2. *Be it further enacted,* That in addition to the Commissioners appointed by the said recited act, to open books of subscription for stock in the said Company, John D. Haw-

kins, James Wyche and Lewis Reavis; be, and they are hereby appointed Commissioners to open books of subscription at Henderson, in Granville County; and when fifty thousand dollars, or more, shall have been subscribed, public notice of that event shall be given by the said Commissioners at Henderson, who shall have power at the same time to call a general meeting of the stockholders, at such convenient time and place as they shall name in said notice.

SEC. 3. *And be it further enacted, That when eighty thousand dollars shall have been subscribed to the capital stock, the said Company shall be incorporated in manner and form prescribed in the third section of the said recited act.* Co. when
to be incor-
porated.

[Ratified the 13th day of December, 1842.]

CHAP. XXIII.

An Act to incorporate the Nantahalalah Turnpike Company, in the Counties of Macon and Cherokee.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That James Robeson and James K. Gray, of the Town of Franklin, in Macon county, and Felix Axley and Jacob F. Abernathy, of the county of Cherokee, be, and they are hereby appointed Commissioners with power and authority to open books in the town of Franklin, and town of Murphy, in the counties aforesaid, on the first day of March, one thousand eight hundred and forty-three, for the purpose of receiving subscriptions to the amount of six thousand dollars, which sum shall constitute* Commission-
ers to o-
pen books,
&c.

the capital stock of the Company hereby incorporated, for the purpose of making and keeping in repair a turnpike road on the State Road leading from the town of Franklin, in Macon county, to the town of Murphy in Cherokee county, commencing on said road nine miles from Franklin, and extending to the twenty-nine mile post.

Shares, amount of.

When subscribed, notice to be given to stockholders, gen'l meeting to be held &c.

SEC. 2. *Be it further enacted*, That the above named capital stock shall be divided into shares of fifty dollars each, and as soon as the sum of two thousand dollars shall have been subscribed as aforesaid, then the aforesaid Comissioners, shall notify the stockholders, to attend at such time and place as they may designate by advertisement or otherwise; and if a majority of the stockholders shall attend said meeting, it shall and may be lawful for the meeting to elect and appoint a President, a Treasurer and three Directors for the term of one year, and until the next general meeting of the stockholders; and the President and Directors, when so appointed, and their successors in office, shall constitute, and they are hereby declared to be a body corporate and politic in law, by the name and style of the Nantahalalah Turnpike Company; may sue and be sued, plead and be impleaded, before any court of record, or Justice of the Peace in this State; and as such, shall have succession and a common seal, and have all other power and right, incident to corporate companies, which may be necessary to carry into effect the object of this incorporation.

Votes, how proportioned.

SEC. 3. *Be it further enacted*, That the number of votes to which each stockholder shall be entitled, shall be according to the number of shares he shall hold in the proportion following, that is to say, one share, and not more than two, one vote each; for every two and not more than ten, one vote; for every four shares over ten, and not exceeding twenty, one vote; and for every eight shares thereafter, one vote.

Stock terms of payment.

SEC. 4. *Be it further enacted*, That the stockholders shall at the first general meeting, fix on the terms and proportion in which the stock subscribed shall be paid, and shall further have power to declare the stock of delinquent stockholders forfeited, on ten days' notice being given.

SEC. 5. *Be it further enacted*, That whenever said Company does make and clear out said Road, so as not to rise more than one foot perpendicular in every eight feet horizontal, and at least twelve feet wide in all plans of side cutting and well causewayed, and drained in all mirey places, fourteen feet wide, and in all other places well cleared out at least sixteen feet wide, and shall have erected a good and sufficient bridge across the Nantahalal River, where said road shall cross the same; it shall be lawful for said Company to erect a toll gate at some convenient place on said road, and there demand and receive the following tolls, that is to say: for a six horse wagon, one dollar; for a five horse wagon, eighty-seven and a half cents; for a four horse wagon or coach, seventy-five cents; for a three or two horse wagon or carriage, thirty-five cents; for a one horse wagon, or cart or carriage, twenty-five cents; man and horse, ten cents; loose horse or mule, five cents; cattle, two cents each; and for hogs or sheep, one cent each.

When the Company may erect toll gate & receive toll.

SEC. 6. *Be it further enacted*, That before any tolls shall be collected on said road as aforesaid, two Commissioners shall be appointed, one by each of the County Court of Macon and Cherokee; for the purpose of viewing and receiving said road; and if at any time, the Company shall suffer said road to get out of repair, and remain so for the space of twenty days, the President and Directors, or either of them, shall be subject to indictment in the Superior Court of the counties in which the part so out of repair shall lie, and be subject to such penalties as are inflicted on overseers of public roads in this State, for non-performance of duty under the existing laws of this State.

Commissioners to receive road, &c

SEC. 7. *Be it further enacted*, That if any person or persons shall for the purpose of avoiding the payment of the aforesaid tolls, either break through, or go round said toll gate, they shall be subject to pay five dollars, recoverable before any justice of the peace in either of the aforesaid counties.

Penalty for evading toll

[Ratified the 26th day of January, A. D. 1843.]

CHAP. XXIV.

An act to incorporate a Mutual Insurance Company in the State of North Carolina.

Persons in-
corporated.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That George W. Mordecai, Richard Smith, William Peace, Thomas Loring, Wm. C. Tucker, Sylvester Smith, John Primrose, Albert Stith, of Raleigh; Samuel Simpson of Newbern; Edward J. Hale, of Fayetteville; Henry K. Nash, of Hillsborough; Peter R. Davis of Warrenton, and Smith Patterson of Franklin county, and all other persons, who may hereafter associate with them in the manner hereinprescribed, shall be a corporation by the name of the North Carolina Mutual Insurance Company, for the purpose of insuring their respective dwelling houses, stores, shops and other buildings, household furniture, merchandize and other property, against loss or damage by fire.

Who shall
become
members.

SEC. 2. *Be it further enacted,* That all persons who shall hereafter insure with the said corporation, and also their heirs, executors, administrators, and their assigns, continuing to be insured in said corporation as hereinafter provided, shall thereby become members thereof, during the period they shall remain insured by said corporation, and no longer.

Board to
manage af-
fairs.

SEC. 3. *Be it further enacted,* That the affairs of said Company shall be managed by a board of Directors consisting of thirteen members as hereinafter provided; all vacancies happening in said board may be filled by the remaining Directors for the remainder of the year, or time for which they were elected, and a majority of the whole shall constitute a quorum for the transaction of business.

Sec. 4. *Be it further enacted*, That the above mentioned Directors in section first shall be the first Directors of said corporation, and shall continue in office for one year after the passage of this act, and until others are chosen in their places; which Board of Directors shall hereafter be elected in each year, at such time and place in the city of Raleigh, as the corporation in their by-lawsshall appoint; of which election public notice shall be given in at least one of the public newspapers printed in said city, at least thirty days immediately preceding such election; such election shall be holden under the inspection of three members not being Directors, to be appointed previous to every election by the Board of Directors, and such election shall be made by ballot, and by a plurality of the votes of the members or their proxies then present, allowing to each member one vote for every \$100 insured in said company.

Of first Directors;

When and how successors shall be appointed.

Sec. 5. *Be it further enacted*, That the Directors may determine the rates of insurance, the amount to be insured, and the sum to be deposited for any insurance.

Of rates of insurance.

Sec. 6. *Be it further enacted*, That every person who shall become a member of said corporation, by effecting insurance therein, shall before he receives his policy deposite his promissory note, for such a sum of money, as shall be determined by the Directors; a part not exceeding five per cent. of said notes, shall be immediately paid, and the remainder of said deposite note, shall be payable in part, or the whole, at any time when the Directors shall deem the same requisite for the payment of losses by fire, and such incidental expenses as shall be necessary for transacting the business of said Company; and at the expiration of the term of insurance, the said note, or such part of the same, as shall remain unpaid, after deducting all losses and expenses accruing during said term, shall be relinquished and given up to the maker thereof.

Terms of membership.

Sec. 7. *Be it further enacted*, That when any property insured with this corporation, shall be alienated by sale or otherwise, the policy shall thereupon be void, and be sur-

Proceedings upon alienation of property.

rendered to the Directors of said Company, to be cancelled; and upon such surrender, the assured shall be entitled to receive his deposit notes, upon the payment of his proportion of all losses and expenses, that have accrued prior to such surrender; but the grantee or alienee having the policy assigned to him, may have the same ratified and confirmed to him, for his own proper use and benefit, upon application to the Directors; and with their consent within thirty days next after such alienation, on giving proper security to the satisfaction of said Directors for such portion of the deposit or premium note as shall remain unpaid, and by such ratification and confirmation, the party causing such security to be given, shall be entitled to all the rights and privileges, and be subject to all the liabilities to which the original party to whom the policy issued was entitled and subject under this act.

Members
how bound
to pay for
losses.

SEC. 8. *Be it further enacted*, That every member of said Company, shall be bound to pay for losses and such necessary expenses as aforesaid accruing in and to said Company in proportion to the amount of his deposit note; and all buildings insured by this Company, together with the right, title and interest of the assured to the lands on which they stand, shall be, and are hereby, pledged to said Company; and said Company shall have a lien thereon, in nature of a mortgage to the amount of his deposit note, which shall continue during his policy, the lien to take effect whenever the said Company shall file with and have entered in the book of Mortgages kept by the Clerk of the County where the property is situate, a memorandum of the name of the individual insured, a description of the property, the amount of the deposit note, and the term for which said policy shall continue.

Suits for
collection of
bonds.

SEC. 9. *Be it further enacted*, That suits at law, may be maintained by said corporation against any of its members for the collection of said deposit notes, or any assessment thereon, or for any other cause relating to the business of said corporation; also, suits at law may be prosecuted and maintained by any member against said corporation, for loss-

es or damage by fire, if payment is withheld more than three months after the Company are duly notified of such losses; and no member of the corporation, not being, in his individual capacity, a party of such a suit, shall be incompetent as a witness in any such cause on account of his being a member of said Company.

SEC. 10. *Be it further enacted*, That the Directors shall, after receiving notice of any loss or damage by fire, sustained by any member, and ascertaining the same, or after the rendition of any judgment as aforesaid against said Company for loss or damage, settle and determine the sums to be paid by the several members thereof, as their respective proportion of such loss, and publish the same in such manner as they shall see fit, or as the by-laws shall have prescribed; and the sum to be paid by each member, shall always be in proportion to the original amount of his deposit note or notes, and shall be paid to the Treasurer within thirty days next after the publication of said notice, *neglect or refuse to pay the sum assessed upon him as his proportion of the loss aforesaid in such case the directors may sue for, and recover the whole amount of his deposit note or notes, with costs of suit; and the amount thus collected shall remain in the Treasury of said Company, subject to the payment of such losses and expenses as have or may thereafter accrue, and the balance, if any remain, shall be returned to the party from whom it was collected, on demand in 30 days from the expiration of the term for which insurance was made.

Directors to assess rates of damages.

SEC. 11. *Be it further enacted*, That if the whole amount of deposit notes should be insufficient to pay the loss occasioned by any fire or fires, in such case the sufferers insured by said Company, shall receive towards making good their respective losses, a proportionate dividend of the whole amount of said notes, according to the sums by them respectively insured, in addition thereto, a sum to be assured on all the members of said Company, on the same principles as regulated the amounts of their respective deposit notes, but not exceeding one dollar on every \$100 by them respectively insured; and no member shall ever be required to pay

How to proceed when deposit notes are insufficient to cover loss.

[* Here appears to be an error, but it is printed according to copy.—Pr.]

for any loss, occasioned by fire, at any one time, more than one dollar on every \$100 insured in said Company, in addition to the amount of his deposit note, nor more than that amount for any such loss after his said note shall have been paid in and expended; but any member upon payment of the whole of his deposit note, and surrendering his policy before any subsequent loss or expense has occurred, may be discharged from said Company.

When policy may be issued.

SEC. 12. *Be it further enacted*, That No policy shall be issued by said Company, until application shall be made for insurance for fifty thousand dollars at least.

Where business shall be carried on.

SEC. 13. *Be it further enacted*, That the operation and business of the corporation shall be carried on and conducted at such place, in the City of Raleigh, as shall be designated by a majority of the Company present at any regular meeting.

Term of its existence.

SEC. 14. *Be it further enacted*, That this act shall continue in force twenty years, and the corporation shall be subject to the provisions that may be made, so far as the statutes are applicable.

SEC. 15. *Be it further enacted*, That this act shall take effect immediately after its passage.

[Ratified the 26th day of January, A. D. 1843.]

ELECTIONS & ELECTORAL DISTRICTS.

CHAP. XXV.

An Act to amend an act, entitled an act concerning the mode of choosing Senators and Representatives in the Congress of the United States, Revised Statutes, chap. 72.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the third section of the said act, be, and is hereby so altered and amended for the purpose of electing Representatives to the Congress of the United States, as to divide the State into nine instead of thirteen districts; and the said nine districts, shall be composed of the following counties, to wit: the first district shall be composed of the counties of Cherokee, Macon, Haywood, Buncombe, Henderson, Rutherford, Burke, Yancy, Cleveland and Caldwell; the second district shall be composed of the counties of Mecklenburg, Lincoln, Iredell, Davie, Rowan, and Cabarrus; the third district shall be composed of the counties of Ashe, Wilkes, Surry, Stokes, Rockingham and Caswell; the fourth district shall be composed of the counties of Richmond, Montgomery, Anson, Stanly, Randolph, Davidson and Guilford; the fifth district shall be composed of the counties of Wake, Chatham, Cumberland, Moore, Johnston and Wayne; the sixth district shall be composed of the counties of Robeson, Columbus, Bladen, Brunswick, New Hanover, Sampson, Duplin, Lenoir, Jones and Onslow; the

Districts, of
what coun-
ties compo-
sed.

seventh district shall be composed of the counties of Orange, Person, Granville, Franklin, Warren and Halifax; the eighth district shall be composed of the counties of Nash, Edgecomb, Pitt, Beaufort, Washington, Tyrrell, Hyde, Craven, Carteret and Greene; the ninth district shall be composed of the counties of Martin, Bertie, Hertford, Northampton, Gates, Chowan, Perquimons, Pasquotank, Camden and Currituck. Each of which districts shall be entitled to elect, and send one Representative to the Congress of the United States: *Provided*, that all that territory included in the counties of Mecklenburg, Burke, Rutherford, Anson and Lincoln, as the said counties were known on the third Monday of November, eighteen hundred and forty-two, shall be deemed to be respectively included under the names of Mecklenburg, Burke, Rutherford, Anson and Lincoln, whenever the same may occur in this act.

SEC. 2. *Be it further enacted*, That the eighth section of said act shall be, and the same is hereby so amended, as to make it the duty of the Sheriffs or other returning officers of the counties of each of the said districts, to meet together on the Thursday next after each election to compare the polls at the places hereinafter named, but in other respects, under the same rules and regulations, as are required by said act; that is to say, in the first district, at the Court House in Ashville, in the county of Buncombe; in the second district, at Mount Mourne, in the county of Iredell; in the third district, at the Court House in Rockford, in the county of Surry; in the fourth district, at Montgomery Court House; in the fifth district, at Averbosboro, in the county of Cumberland; in the sixth district, at South Washington, in the county of New-Hanover; in the seventh district, at Henderson, in the county of Granville; in the eighth district, at the Court House in the town of Washington, in the county of Beaufort; and in the ninth district, at the Court House in the town of Gatesville, in the county of Gates.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after the fourth of March next.

[Ratified the 17th day of January, A. D. 1843.]

Time and
places of
comparing
polls, &c

CHAP. XXVI.

An Act to amend the Revised Statute, chapter 41, concerning Electors of President and Vice President, and to lay off the State into eleven Electoral Districts.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That this State shall be, and is hereby divided and laid off into eleven districts, for the purpose of choosing Electors for a President and Vice President of the United States, in the following manner, to wit: the counties of Currituck, Camden, Pasquotank, Perquimons, Gates, Chowan, Hertford, Northampton and Bertie, shall compose the first district; the counties of Washington, Tyrrell, Beaufort, Hyde, Pitt, Martin, Edgecomb and Nash, shall compose the second district; the counties of Halifax, Warren, Franklin, Wake and Granville, shall compose the third district; the counties of Greene, Lenoir, Craven, Jones, Carteret, Wayne Duplin, and Johnston, shall compose the fourth district; the counties of Sampson, Onslow, New Hanover, Brunswick, Columbus, Bladen, Robeson and Richmond shall compose the fifth district; the counties of Cumberland, Moore, Chatham, Randolph, Stanly and Montgomery, shall compose the sixth district; the counties of Orange, Guilford, Caswell and Person, shall compose the seventh district; the counties of Rockingham, Stokes, Davidson, Surry and Davie, shall compose the eighth district; the counties of Anson, (as known on the twenty-first day of November, 1842,) Mecklenburg, (as know on said day) Cabarrus and Lincoln, (as known on said day,) shall compose the ninth district; the counties of Rowan, Iredell, Wilkes, Ashe, Caldwell and Burke, (as known on the twenty-first day of November, 1842,) shall compose the tenth district; the counties of Cleaveland, Rutherford, (as known on the twenty-first day of November,

Districts of
what coun-
ties com-
posed.

1842,) Yancey, Buncombe, Henderson, Macon, Haywood and Cherokee, shall compose the eleventh district.

Election
how con-
ducted.

SEC. 2. *Be it further enacted*, That the election of Electors, provided for by the fourth section of the Revised Statute aforesaid, shall be conducted in all respects, according to the provisions of the act, mentioned in the next section, which passed in the year 1840 and 1841.

Portions of
act to con-
tinue in
force.

SEC. 3. *Be it further enacted*, That save in the particulars above stated, the said act shall be, and remain in full force, except as amended by an act of the General Assembly, entitled "an act to amend the Revised Statute," entitled "an act providing for the appointment of Electors to vote for President and Vice President of the United States," passed at the session of 1840 and 1841.

[Ratified the 25th day of January, A. D. 1843.]

CHAP. XXVII.

An Act to lay off this State into fifty Senatorial Districts.

Districts, of
what coun-
ties compo-
sed.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That for the purpose of electing members to the Senate of the General Assembly of the State of North Carolina, this State shall be divided into fifty districts, as follows: that is to say, the 1st district, shall consist of the counties of Pasquotank and Perquimons; the 2nd district, of Camden and Currituck; the 3rd district, of Gates and Chowan; the 4th district, of Washington and Tyrrell; the 5th district, of Northampton; the 6th district, Hertford; the 7th district, Bertie; the 8th district, Martin; the 9th district, Halifax; the 10th district, Edgecomb; the

11th district, Pitt; the 12th district, Beaufort and Hyde; the 13th district, Craven; the 14th district, Carteret and Jones; the 15th district, Lenoir and Greene; the 16th district, New Hanover; the 17th district, Onslow; the 18th district, Duplin; the 19th district, Brunswick, Bladen and Columbus; the 20th district, Cumberland; the 21st District, Sampson; the 22nd district, Wayne; the 23d district Johnston; the 24th district, Wake; the 25th district, Nash; the 26th district, Franklin; the 27th district, Warren; the 28th district, Granville; the 29th district, Person; the 30th district, Orange; the 31st district, Chatham; the 32nd district, Moore and Montgomery; the 33rd district, Robeson and Richmond; the 34th district, Anson; the 35th district, Randolph; the 36th district, Guilford; the 37th district, Caswell; the 38th district, Rockingham; the 39th district, Mecklenburg; the 40th district, Cabarrus and Stanly; the 41st district, Rowan and Davie; the 42nd district, Davidson; the 43rd district, Stokes; the 44th district, Surry and Ashe; the 45th district, Iredell; the 46th district, Lincoln and Catawba; the 47th district, Rutherford and Cleaveland; the 48th district, Burke, Caldwell and Wilkes; the 49th district, Buncombe, Yancey and Henderson; the 50th district, Haywood, Macon and Cherokee; each of which districts shall be entitled to one Senator, to be elected under the same rules and regulations as are now provided by law: *Provided*, that all that territory included in the counties of Mecklenburg, Burke, Rutherford, Anson and Lincoln, as the said counties were known on the third Monday of November, one thousand eight hundred and forty-two, shall be deemed to be respectively included under the names of Mecklenburg, Burke, Rutherford, Anson and Lincoln, whenever the same may occur in this bill.

Proviso.

SEC. 2. *Be it further enacted*, That where any Senatorial district, as laid off by this act, is composed of more than one county, the Sheriff or other returning officer of each of the counties composing such Senatorial district, shall, after receiving the returns from the Inspectors, as now prescribed by law, meet on the second Thursday in August,

Polls when and where to be compared.

after each election, at the following places, in their respective districts, for the purpose of comparing the polls in said district, viz: in the 1st district, composed of the counties of Pasquotank and Perquimons; in the 2nd district, composed of the counties of Camden and Currituck; in the 3rd district, composed of the counties of Gates and Chowan; in the 4th district, composed of the counties of Washington and Tyrrell; in the 12th district, composed of the counties of Beaufort and Hyde; in the 14th district, composed of the counties of Carteret and Jones; in the 15th district, composed of the counties of Lenoir and Greene; in the 19th district, composed of the counties of Brunswick, Bladen and Columbus; in the 33rd district, composed of the counties of Robeson and Richmond—at the several places now prescribed by law; in the 32nd district, composed of the counties of Moore and Montgomery, at the house of Daniel Chisholm, in Moore county; in the 40th district, composed of the counties of Cabarrus and Stanly, at Mount Pleasant, in Cabarrus county; in the 41st district, composed of the counties of Rowan and Davie, at Hall's Mills, in the county of Davie; in the 44th district, composed of the counties of Surry and Ashe, at the house of John Thompson, in Surry county; in the 47th district, composed of the counties of Rutherford and Cleaveland, at Rutherfordton, in Rutherford county; in the 48th district, composed of the counties of Burke, Caldwell, and Wilkes, at Lenoir, in Caldwell county; in the 49th district, composed of the counties of Buncombe, Yancey and Henderson, at Ashville, in Buncombe county; and in the 50th district, composed of the counties of Haywood, Macon and Cherokee, at Franklin, in Macon county.

When to
take effect,
&c.

Sec. 3. *Be it further enacted*, That this act shall take effect, and be in force from and after its ratification; and that nothing in this act contained, shall be so construed as to affect the manner of holding an election for members of the Senate, before the next regular election to be holden on the first Thursday in August, in the year one thousand eight hundred and forty-four.

[Ratified the 16th day of January, A. D. 1843.]

CHAP. XXVIII.

An Act to apportion the members of the House of Commons among the several counties in this State.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That until the first session of the General Assembly, after the year one thousand eight hundred and fifty-one, the House of Commons shall be composed of members elected from the counties, in the following manner: The counties of Lincoln and Orange, shall elect four members each; the counties of Chatham, Granville, Guilford, Iredell, Mecklenburg, Stokes, Surry and Wake, shall elect three members each; the counties of Anson, Beaufort, Bertie, Buncombe, Burke, Cabarrus, Caswell, Craven, Cumberland, Davidson, Duplin, Edgecomb, Franklin, Halifax, Johnston, New Hanover, Northampton, Pitt, Randolph, Robeson, Rockingham, Rowan, Rutherford, Sampson, Warren, Wayne and Wilkes, shall elect two members each; the counties of Ashe, Bladen, Brunswick, Caldwell, Carteret, Camden, Cherokee, Chowan, Cleveland, Columbus, Currituck, Davie, Gates, Greene, Haywood, Henderson, Hertford, Hyde, Jones, Lenoir, Macon, Montgomery, Martin, Moore, Nash, Onslow, Pasquotank, Perquimons, Person, Richmond, Stanly, Tyrrel, Washington and Yancey, shall elect one member each; under the same rules and regulations, as are now provided by law: *provided*, that nothing in this act contained, shall be so construed, as to affect the manner of holding an election for members of the House of Commons, before the next regular election, to be holden on the first Thursday in August, one thousand eight hundred and forty-four; *and provided further*, that all that territory included in the counties of Mecklenburg, Burke, Rutherford, Anson and Lincoln,*

Number of
members
each county
may elect.

as the said counties were known on the third Monday of November, one thousand eight hundred and forty-two, shall be deemed to be respectively included under the names of Mecklenburg, Burke, Rutherford, Anson and Lincoln, wherever the same may occur in this act.

SEC. 2. *Be it further enacted*, That this act shall be in force and take effect from and after its ratification.

[Ratified the 17th January, 1843.]

CHAP. XXIX.

An Act to punish the defaults of returning officers in the election of Electors for President and Vice President of the United States.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That if any returning officer of the returns of Electors for President and Vice President of the United States, shall wilfully or of malice, refuse or neglect to make such return or returns, or to make them within the time prescribed by law, he shall be deemed guilty of felony; and upon conviction, shall be fined, not less than one thousand, nor more than five thousand dollars, and be imprisoned, not less than one, nor more than three years—shall be disabled from holding any office of profit or trust, under the authority of this State; and it shall not be lawful for the Governor to pardon said officer, or the punishment which may be inflicted therefor.

Penalty for neglect or refusal to make returns.

[Ratified the 26th day of January, 1843.]

CHAP. XXX.

An Act supplemental to, and amendatory of, the fifty-third chapter of the Revised Statutes, and the twenty-fifth chapter of the Statute passed at the session of the General Assembly, which commenced on Monday, the 16th November, 1840.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the proper returning officer of every county in this State, shall, on or before the first day of October, succeeding any election for Governor, transmit to the seat of Government, and deliver to the Secretary of State, a statement of the votes taken in his county for Governor, made out as required in the second section of the above recited act of 1840, and sealed up as required by the first section of the above recited Revised Statute, and directed by an endorsement upon the sealed packet or envelope, containing the said statement, to the Speaker of the Senate; and such returning officer shall also endorse upon the said packet, a memorandum of the contents thereof, in this form: "A statement of votes taken in the county of ———, at the election for Governor, held on the ——— day of ———," and shall sign the said memorandum with his name; and such returning officer shall, on or before the said first day of October succeeding such election, transmit to the Secretary of State, the duplicate of the votes in his county, required by the sixteenth section of the said Revised Statute; and the Secretary of State shall, immediately after receiving such

Statement
or votes for
Governor,
how and
when to be
made.

Secretary to examine statement of returning officer, and if incorrect, despatch a messenger for correct statement; and to do the same when no return is made.

original and duplicate statements, proceed to examine the packets containing the said original statements, and to ascertain whether the same are properly endorsed and directed; and he shall also examine the duplicates, to ascertain if the statements are duly made out in the form required by the second section of the act of 1840; and if any such packet containing an original return, shall not be properly addressed or directed, or shall not be properly sealed up, or if any such duplicate return shall be defective or informal, the said Secretary shall forthwith employ some suitable and discreet person as a messenger, to proceed to the county from which such return shall have been received, and require from the returning officer a proper and formal return, duly sealed up, directed and endorsed, and a proper duplicate; which return and duplicate, it shall be the duty of such officer, upon the demand of the said messenger, forthwith to make out and deliver to him, to be transmitted to the seat of Government: and the Secretary of State, shall proceed in like manner, when no return or duplicate shall be transmitted and delivered to him from any county; and he shall furnish every such messenger with a written authority or commission to make the said demand, and shall sign the same, and certify it under the Great Seal of the State, which the Governor is hereby required to affix, upon application of said Secretary.

Duties of Secretary and Speakers, if no returns from any county at meeting of Assembly.

SEC. 2. *And be it further enacted,* That should it so happen that, at the meeting of the General Assembly next after any election for Governor shall be held, there shall not be proper returns made as aforesaid, from any county or counties in the State, it shall be the duty of the Secretary of State immediately to communicate the fact to the Speakers of the two Houses, for the information of the General Assembly, who shall forthwith cause the returning officer to be summoned to appear and make complete, or correct his return, as the case may require; and should it seem to the General Assembly advisable, likewise to cause the Clerk of the County Court to be summoned to produce the returns and poll books, required by the first section of the said act of 1840, to be filed with him, and to take such

other steps as may be deemed necessary for supplying, counting and completing such returns.

SEC. 3. *Be it further enacted*, That it shall be the duty of the Secretary of State, in each and every year in which an election for Governor shall be held, to cause proper forms of returns to be prepared and printed, and to send copies thereof, with plain directions as to the manner of endorsing, directing and transmitting the same, to the seat of Government to all the returning officers in the State, at least thirty days before the time of holding such elections. Secretary to prepare forms &c.

SEC. 4. *And be it further enacted*, That if any Sheriff, Coroner, or other returning officer, shall negligently omit to do and perform any act, matter or thing, by this act, or by the said Revised Statute, or the said act of 1840 required, in the manner and form, and within the time required for the same, he shall, for such offence, forfeit and pay the sum of five hundred dollars, to be recovered in the name, and to the use of this State, on motion in the Superior Court of Law of the county of Wake, ten days' previous notice in writing, of such intended motion being given to such officer; which notice the Secretary of State shall cause to be given, and which motion it shall be the duty of the Attorney General to make, and the proceedings thereon shall be summary; and if any matter of fact shall be in issue, the same shall be tried at the first term; and on such trial, or for any other purpose in the prosecution of such motion to judgment, the certificate of the Secretary of State, of the particular default on which the said motion shall be founded, shall and may be received as competent *prima facie* evidence to prove the same; and such officer shall further be deemed guilty of a misdemeanor in office, and upon conviction thereof, shall be fined and imprisoned at the discretion of the court. Penalty for violation of the provisions of this act.

SEC. 5. *And be it further enacted*, That if any Sheriff, Coroner, or returning officer whatever, shall wilfully or of malice, refuse or neglect to perform any duty, act, matter or thing, by this act, or by either of the before recited acts, required or directed, in the time, manner and form, in which such duty, act, matter or thing is required to be performed, Malicious neglect made felony.

the person so offending, shall be deemed guilty of felony, and upon conviction, shall be fined not less than one thousand, nor more than five thousand dollars, and be imprisoned not less than one, nor more than three years—shall be disabled from holding any office of profit or trust, under the authority of this State, and shall moreover forfeit the sum of one thousand dollars, to be recovered in the court, and in the manner in the last section directed.

What tribunal shall have jurisdiction of offences.

SEC. 6. *And be it further enacted*, That the Superior Court of Law of the county of Wake, shall have jurisdiction of all offences under this act; and no such offence shall be pardoned, nor any of the penalties therefor remitted by the Governor.

Forfeitures may be recovered from securities.

SEC. 7. *And be it further enacted*, That the forfeitures declared in the fourth and fifth sections of this act, shall be recovered from the securities of the Sheriff, Coroner or other returning officer; and the motion directed in the said section may be made as well against the said securities or any of them, as against the officer; and when any messenger shall have been employed in manner herein before directed, the expenses attending his employment, shall, when certified by the Secretary of State, be taxed and allowed as costs upon the said motion.

Repealing clause.

SEC. 8. *Be it further enacted*, That the third section of the aforesaid act of the General Assembly, passed in the year 1840, and all other laws and clauses of laws coming in conflict herewith, and for which this is intended as a substitute, are hereby repealed.

[Ratified the 25th day of January, 1843.]

CHAP. XXXI. ✓

An Act concerning Election Returns.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That if in any election directed to be held by the Sheriff, there shall be no Sheriff qualified to act, the duties required of such Sheriff, shall be performed by the Coroner or Coroners of the county where such vacancy in the Sheriffalty exists; and furthermore, if after any election shall be held by any Sheriff, he shall die before the returns required of him are made, the succeeding Sheriff shall make the same, *provided* there be such Sheriff at the time when said returns are by law required to be made; and if there shall be no Sheriff at such time, then said returns shall be made by the Coroner or Coroners of the county in which such vacancy in the Sheriffalty exists; in all which events the returns shall be made in the form and manner now prescribed by law; and if any person upon whom the duty is devolved by this section, of making returns, shall fail to do so, he shall be subject to the same pains and penalties, recoverable in the same manner, as are now prescribed in cases where the Sheriff fails to make such returns.

Coroner to act in election, if no sheriff.

Proviso.

[Ratified the 24th of January, 1843.]

CHAP. XXXII.

An Act to amend the 109th chapter of the Revised Statutes,
entitled "an act concerning Sheriffs."

Relative to
election &
qualificati-
on of sher-
iffs in cer-
tain cases.

Proviso.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That whenever the first Thursday in August on which elections for Sheriffs in this State, are held, shall happen during any county court, the person declared to be elected Sheriff, shall enter into the bonds, and take the oaths required by law for the qualification of Sheriffs, on the first or second day after said election; and it is hereby declared to be the duty of a majority, or twelve of the acting Justices of said county, to meet at said court, on the day after said election, or in case of failure, on the second day after said election, for the purpose of receiving from the Sheriff elect, the bonds required by law: *Provided*, that the provisions of this act, shall not extend to the county of Bladen; and any law coming in conflict with this act, be, and the same is hereby repealed.

[Ratified the 25th day of January, A. D. 1843.]

CHAP. XXXIII.

An Act to point out the mode of electing field officers of Cavalry.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That when it shall be necessary to appoint Field Officers of Cavalry, or in case of a vacancy, by death, resignation, or otherwise, the senior officer in command, attached to that Regiment, shall call together the commissioned officers of the Regiment, at the usual place of Regimental Review; and they shall proceed to elect by ballot, officers to supply said vacancies; and a correct statement shall be transmitted by the officer in command to the Brigadier General of his Brigade, of the officer or officers so elected; and it shall be the duty of the Brigadier General to inform the Governor thereof, from whom a commission or commissions shall issue.

SEC. 2. *Be it further enacted,* That the above act shall be in force from and after its passage.

[Ratified the 26th January, 1843.]

ENTRIES & GRANTS.

CHAP. XXXIV.

An Act extending the time for perfecting titles to lands heretofore entered.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That all persons who have made entries of vacant lands, and paid the purchase money to the State for the same, since the first day of January, one thousand eight hundred and thirty-nine, shall have until the first day of January, one thousand eight hundred and forty-five, to perfect their titles to the same by grant.

The same where the purchase money has not been paid.

Proviso.

SEC. 2. *Be it further enacted,* That all persons who have heretofore made entries of lands according to law, within the time aforesaid, and have not paid the purchase money into the Treasury, shall have until the said first day of January, one thousand eight hundred and forty-five, to make said payment, and to perfect their titles to said lands: *Provided,* that nothing in this act contained shall be so construed as to affect the titles of persons who have heretofore obtained grants for said lands, or the rights of junior enterers, or to extend to Swamp lands in the eastern portion of the State.

SEC. 3. *Be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified the 13th day of December, 1842.]

CHAP. XXXV.

An act to amend an act, passed this present General Assembly entitled an act extending the time for perfecting titles to lands heretofore entered.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That all enterers of vacant lands, who have paid the purchase money to the Public Treasurer, for the same, shall have until the first day of January, one thousand eight hundred and forty-five to perfect their titles thereto by grant.

Allowed to
Jan. 1 1845
to perfect ti-
tles.

SEC. 2. *And be it further enacted,* That all entries made since the first day of January, one thousand eight hundred and thirty-six, may be paid for by the enterers thereof, at any time previous to the first day of January, one thousand eight hundred and forty-five; *Provided,* the same shall not interfere with any subsequent entry for which the purchase money may have been paid, and provided that nothing in this act shall extend to the entries of swamp lands in the eastern part of the State.

Of entries
made since
1836.

Proviso.

SEC. 3. *And be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified the 21st day of January, 1843.]

CHAP. XXXVI.

An act concerning the Swamp Lands.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That any person or persons who have heretofore at any time obtained a grant or grants from the State, for any swamp lands in this State, and who, or their heirs or assigns, have not regularly listed the same for taxation, and paid the taxes due thereon to the person or persons entitled to receive the same, such person or persons, so having obtained such grant or grants, their heirs or assigns, shall forfeit and lose all right, title and interest in the said swamp lands; and the same shall, *ipso facto*, revert to and be vested in the State, unless such person or persons, his, her or their heirs or assigns, shall within twelve months from the passage of this act, pay to the Sheriff of the county in which said lands lie, all the arrearages of taxes due on the said lands, with the lawful interest thereon, from the time said taxes ought to have been paid.

Lands obtained by grant, and not listed, to be forfeited, unless arrearages of taxes are paid.

SEC. 2. *Be it further enacted,* That all the swamp lands, to which this State is now entitled, or to which this State shall hereafter become entitled, under the provisions of this act or otherwise, shall be, and are hereby vested in the President and Directors of the Literary Fund of North Carolina, and their successors, in trust, as a public fund for education and the establishment of common schools.

Lands given to school fund.

SEC. 3. *Be it further enacted,* That in all controversies and suits at law, for any of the swamp lands in this State to which "the President and Directors of the Literary Fund of North Carolina," or their assigns shall be a party, the title to the said lands shall be taken and deemed to be in the

Of disputed titles.

said President and Directors of the Literary Fund of North Carolina, or their assigns until the other party shall shew, that he, she or they, have a good and valid title to the said lands in him, her or themselves.

SEC. 4. *Be it further enacted,* That all the provisions contained in the forty-third section of the thirty-fourth chapter of the Revised Statutes, concerning "crimes and punishments," for the protection of the public lands, shall be, and are hereby extended to the lands belonging to the President and Directors of the Literary Fund of North Carolina, and the same punishment shall be inflicted for trespassing upon these lands; and the Sheriffs are required to discharge the same duties, and are vested with the same powers in relation to these lands as if they were public lands described in said 43d section.

Of punishment for trespass on lands.

SEC. 5. *Be it further enacted,* That no statute of limitation shall affect the title, or bar the action of the President and Directors of the Literary Fund of North Carolina, or their assigns, unless the same would protect the person or persons holding and claiming adversely against the State.

Statute of limitation no bar.

[Ratified the 21st of January, A. D. 1843.]

EXECUTORS.

CHAP. XXXVII.

An Act concerning Executors.

How process may be served on those who may not have given bond, who absent themselves.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That whenever any executor or executrix, who may not have given bond for the discharge of his or her duties, shall absent him or herself from the State after qualification, or shall so abscond or conceal him or herself, that process of law cannot be served on him or her, personally, it shall be lawful for the Sheriff, or other officer having process against him or her, of a civil nature, to leave a copy of the same, at his or her last place of residence; and the said Sheriff or other officer, shall make return of the service thus made upon said process, stating the facts specially; whereupon the Court or Justice of the Peace, as the case may be, shall order advertisement to be made in some newspaper, for the space of six weeks, to appear at such time as may be directed; and if he or she, should fail so to do, such service by the Sheriff or other officer, and the advertisement aforesaid, shall be deemed and held good and sufficient service of such process and altogether as available for every intent and purpose, as though the same had been made personally on him or her.

[Ratified the 26th day of January, A. D. 1843.]

GUARDIAN & WARD.

CHAP. XXXVIII.

An Act to amend the 23d section of the Revised Statutes, relating to Guardian and Ward.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That Guardians of orphans, residing in any other State or Territory or in the District of Columbia, or who may have removed to such State, Territory or District, who shall be entitled to any money arising from the sale of real estate sold for partition, or otherwise, or to any personal property substituted by decree of court for realty, may call upon any person having possession of such property, and obtain the same as Guardian, in the same manner and under the same rules, regulations and restrictions, as are now prescribed for Guardians of orphans residing out of the State, by the twenty-third section of the Revised Statutes, entitled "an act concerning the appointment of Guardians and the management of orphans and their estates."

How guardians residing in other States may obtain proceeds of real estate of their wards.

SEC. 2. *Be it further enacted,* That the Guardians of orphans, residing in the District of Columbia, and entitled to personal property in this State, may be allowed to demand and receive the same, in the same manner, and under the same regulations and restrictions, as are prescribed in the said section of the act aforesaid for the Guardians of orphans residing in other States and the Territories.

Of personal property.

[Ratified the 19th of January, 1843.]

INSPECTORS.

CHAP. XXXIX.

An Act to amend an act of the Revised Statutes, chapter 59, entitled "an act, for establishing public landings and places of inspection and for the appointment of Inspectors and regulation of Inspections."

Certain
parts re-
pealed.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That so much of the 50th, 51st, 52nd, 53d and 54th sections of the above recited act, as relates to tar, pitch and turpentine, so far as its operation extends to the town of Newbern, in this State, be, and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified the 24th of January, 1843.]

CHAP. XL.

An Act to amend the 65th section of the 59th chapter of the Revised Statutes, entitled "an act for establishing public landings." &c.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That in case the purchaser and seller cannot agree as to the amount to be allowed for extra cooperage, and defective barrels, it shall be the duty of Inspectors of naval stores and provisions in the town of Wilmington, at the instance of either purchaser or seller, without incurring any responsibility to either party, to establish the amount to be allowed for extra cooperage and defective barrels; and such estimate shall be conclusive. *And in case any Inspector refuses to make such estimate when called on by either purchaser or seller, he shall forfeit and pay the sum of twenty-five dollars in every case, to be recovered before any Justice of the Peace, for the county of New Hanover, by any person suing for the same.*

SEC. 2. *And be it further enacted,* That all laws and clauses of laws, coming within the meaning and purview of this act, be, and the same are hereby repealed. Repealing
clause.

SEC. 3. *And be it further enacted,* That this act shall be in full force and operation, from and after its ratification.

[Ratified the 13th of December, A. D. 1842.]

CHAP. XLI.

An Act to alter the mode of inspecting Tobacco in the town of Fayetteville.

County
Court of
Cumber-
land to ap-
point In-
spectors.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That it shall be the duty of the County Court of Cumberland, at the first Court of Pleas and Quarter Sessions, after the first day of February next, to appoint one or more Inspectors of Tobacco, and every two years thereafter; and that it shall not be lawful for any person or persons, to inspect Tobacco in the town of Fayetteville, after the above cited Court of Pleas and Quarter Sessions, unless they are appointed by this act.

Qualities of
tobacco to
be designa-
ted.

SEC. 2. *Be it further enacted,* That it shall be the duty of all Inspectors of Tobacco, in the town of Fayetteville, to designate four qualities of Tobacco, to be known as follows: first, second and third qualities, and refused or unmerchanta-ble; and it shall be the duty of said inspectors, to mark such Tobacco, according to the quality, and give notes designating the same.

Tobacco to
be taken
from each
break.

SEC. 3. *Be it further enacted,* That it shall be the duty of said Inspectors to take from each break, not less than four, nor more than six hands or lugs of Tobacco, and deliver one half to the owner or consignee, and retain the other half, marked according to the quality of the Tobacco from which it was taken, and keep the same, for the inspection of any person who may wish to examine the same, until the Tobacco is shipped or sold for consumption.

Repealing
clause.

SEC. 4. *Be it further enacted,* That all laws, and clauses of laws, coming within the meaning and purview of this act are hereby repealed.

[Ratified the 25th day of January, A. D. 1843.]

MISCELLANEOUS.

CHAP. XLII.

An Act concerning the Public Printing.

SEC. 1. *Be it enacted by the General Assembly of the State of* Fixes the
North Carolina, and it is hereby enacted by the authority of the charge for
same, That hereafter in estimating the price of Public Printing rule and fig
ordered by either House of the General Assembly, other than ure work.
the Acts and Resolutions and Journals, every page of rule
and figure work, shall be estimated as two pages in a single
number of the work, and shall be paid for accordingly at that
rate, as provided for by the existing law in relation to the
Public Printing.

[Ratified the 27th of January, 1843.]

CHAP. XLIII.

An Act to amend the Revised Statute concerning Divorce and Alimony.

Suits, before hearing, may be removed to Supreme Court.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That suits commenced' or which may be commenced in any of the Courts of this State under the Revised Statute, entitled "an act concerning Divorce and Alimony," may be removed into the Supreme Court, before a hearing, in like manner as suits in Equity may now be removed into that court by virtue of the sixteenth section of the Revised Statute, entitled an "act concerning Courts of Equity," any thing in the first mentioned statute to the contrary notwithstanding.

[Ratified the 26th of January, 1843.]

CHAP. XLIV.

An Act to amend an act, entitled "an act supplemental to an act entitled, an act to cede to the United States a certain tract of land, called Bouge Banks.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the first Court of Pleas and Quarter Sessions of Carteret county, which shall be held after the passage of this act, are hereby authorized and directed to fill any vacancies that may have occurred, or which shall hereafter occur in the Board of Commissioners appointed by said act, to ascertain the claimants to the money paid into the Treasury by the Government of the United States, for the use of the owners of said ceded land.

Court of
Carteret to
fill vacan-
cies in
Board.

SEC. 2. *Be it further enacted,* That the said act shall, in all other respects, be, and remain in full force and effect, from and after the passage of this act.

[Ratified the 25th of January, 1843.]

CHAP. XLV.

An Act to extend the provisions of the 75th chapter of the Revised Statutes, and to amend the same.

Re-ates to
bounty for
Iron works.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That any person or persons, who may erect iron works in the county of Cherokee, and who may wish to avail themselves of the bounty in land, allowed by the State for such works, shall make the necessary entries with the Clerk of the County Court of Cherokee; and the Clerk is hereby authorized and empowered to receive the same, and to do and act in the same manner, and under the same rules and regulations, and shall be entitled to the same fees, that Entry Takers are for performing like services in any other county within this State: *Provided however,* that any person or persons entering land as aforesaid, who shall fail to erect iron works according to the true intent and meaning of the Statute in that case made and provided, the land so entered, shall revert to the State, any law to the contrary notwithstanding.

SEC. 2. *Be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified the 20th January, 1843.]

CHAP. XLVI.

An Act to authorize the Board of Public Buildings to procure Office Furniture.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Board of Public Buildings be, and they are hereby authorized to procure senders for the fire places of the offices in the Capitol, and also, such other articles as may be deemed necessary for the convenient transaction of the public business in said offices; and that they have authority to draw on the Treasurer for such sums of money, as may be necessary to defray the expenses thereof.

[[Ratified the 27th of January, 1843.]

CHAP. XLVII.

An Act to amend an act, entitled "an act concerning the Seat of Government, and the Public Buildings.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That it shall be the duty of the Board authorized and constituted by the above recited act to take charge of, and keep in repair, the buildings belonging to the State, in the City of Raleigh, to procure and furnish the several Public offices kept in the State House, with all necessary office furniture, and to have the furniture of said of-

Board to
procure of-
fice furni-
ture.

fices repaired from time to time, as occasion may require; to be paid for as expenditures made by said Board are now directed by law.

SEC. 2. *Be it further enacted*, That the keeper of the Capitol be, and he is hereby authorized to suppress all rude or riotous noise, and disorderly conduct in the State House, and to arrest all persons guilty of making such noise, or creating such disorder, and if necessary, to take them before some Justice of the Peace, who shall have power to impose a fine on the offender, not exceeding five dollars, for the use of the State Library, or to cause such person or persons, to enter into a recognizance, with security, to appear at the next County or Superior Court of Wake county, to answer said charge.

[Ratified the 28th day of January, A. D. 1843.]

CHAP. XLVIII.

An Act to provide suitable Stationery and Candles, for the Executive Office, Departments of State, and future Legislatures, and other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the Secretary of State shall hereafter, as the same may be necessary, purchase suitable Stationery and Candles, for the Executive Office, Departments of State, and for future Legislatures, upon the best terms upon which the same can be procured; the accounts for which, containing the quantity bought, and the prices, shall be adjudged of, and allowed by the Governor, Treasurer and Comptroller, and if they shall deem the same just

Secretary
to purchase
stationery.

Accounts
by whom
allowed.

and reasonable, paid by the Treasurer, and filed in the Comptroller's office.

SEC. 2. *And be it further enacted*, That the Secretary be, and he is hereby authorized to contract as heretofore, with the lowest bidder, under sealed proposals, for the necessary fuel for the different Departments of State, for which the Public Treasurer is hereby authorized to pay, on the order of the Secretary of State, for which he shall be allowed on settlement of his accounts.

Secretary to contract for fuel.

SEC. 3. *Be it further enacted*, That the Secretary of State shall be allowed postage on all Public Documents, transmitted to him by mail, on which postage is charged, to be paid by the Public Treasurer, on the Governors warrants, made on the accounts presented by the Secretary, which accounts shall be filed with the warrants in the Comptroller's office.

Secretary allowed postage.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. XLIX.

An Act concerning prosecutions for Perjury and Subornation of Perjury.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That in every presentment or indictment, to be prosecuted against any person, for wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence charged upon the defendant, and by what court, or before whom, the oath or affirmation was taken, (a-verring such court, or person or persons to have a competent authority to administer the same) together with the proper averment or averments, to falsify the matter or matters, wherein the

What may be set forth in presentment or indictment for perjury.

perjury or perjuries is or are assigned, without setting forth the bill, answer, information, indictment, declaration or any part of any record or proceedings, either in law or equity other than aforesaid, and without setting forth the commission or authority of the court, or person or persons, before whom the perjury was committed.

What for
subornation
of perjury. SEC. 2. *And be it further enacted,* That in every presentment or indictment, for subornation of perjury, or for corrupt bargaining, or contracting with others to commit wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence charged upon the defendant, without setting forth the bill, answer, information, indictment, declaration or any part of any record or proceedings, either in law or equity, and without setting forth the commission or authority of the court or person or persons, before whom the perjury was committed, or was agreed or promised to be committed.

[Ratified the 27th of December, A. D. 1842.]

CHAP. L.

An Act appointing Clerks and Masters Commissioners to take depositions.

Clerks and
Masters au-
thorized to
take deposi-
tions. SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Clerks and Masters of the Courts of Equity, shall be each one of them, a Commissioner to take depositions to be read in any suit in Equity, and as such, they are hereby authorized to administer all necessary oaths for that purpose, and in the taking of depositions, shall have all the power and means of compelling the attendance of

witnesses and of compelling them to give testimony as other Commissioners have; and all depositions taken by them shall be subject to the same rules as govern depositions taken by other Commissioners.

SEC. 2. *Be it further enacted*, That the Clerks and Masters shall be entitled for taking depositions, to such compensation as may be allowed them by the court to which the depositions are returnable, to be paid as the court may direct by either party, or by both, in such proportions as the court shall decree, to be taxed with and as part of the costs. Their compensation.

[Ratified the 23rd of January, 1843.]

CHAP. LI.

An Act to repeal a part of the first section of an act, passed at the last General Assembly, entitled "an act to reduce into one the several acts concerning the appointment of Commissioners of Navigation and Pilotage, for the Cape Fear River," so as to restore the appointment to the County Court of New Hanover.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the outhority of the same*, That so much of the first section of an act passed at the last General Assembly, chapter forty-seven, entitled "an act to reduce into one the several acts concerning the appointment of Commissioners of Navigation and Pilotage, for the Cape Fear River," which gives the power to the Commissioners of the town of Wilmington, to appoint said Commissioners, be, and the same is hereby repealed. Repealing clause.

SEC. 2. *Be it further enacted*, That at the first Court of

Co. Court
to appoint
Commissioners.

Pleas and Quarter Sessions, to be held for the county of New Hanover, one thousand eight hundred and forty-three; and every two years thereafter, the Justices of the said court (a majority being present) shall appoint five discreet persons to act as Commissioners of Navigation and Pilotage for the Cape Fear River, under the same rules, regulations and restrictions as are now provided for by law.

SEC. 3. *Be it further enacted*, That the Commissioners now in office, shall continue until others are appointed.

SEC. 4. *Be it further enacted*, That this act shall be in force from and after the passage thereof.

[Ratified the 18th of January, 1843.]

CHAP. LII.

An Act to extend the time for registering Grants, Mesne Conveyances, Powers of Attorney, Bills of Sale and Deeds of Gift.

Time of registration.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That all grants of land in this State, all deeds of mesne conveyances, powers of Attorney, under which any lands, tenements or hereditaments, have been or may be conveyed; all powers of attorney, which are required to be proved and registered by any act of the General Assembly; all bills of sale, deeds of gift already proved, or which may hereafter be proved, shall and may, within two years after the passage of this act, be admitted to registration under the same rules, regulations and restrictions as heretofore appointed by law; and said grants, deeds of mesne conveyances, powers of at-

torneys, bills of sale, and deeds of gift, shall be as good and valid, as if they had been proved and registered within the time heretofore allowed: *Provided*, that nothing herein contained shall be construed to extend to mortgages or to conveyances in trust: *and provided further*, that the provisions of the above recited act shall not be so construed as to give any person power to record or have registered, grants from the State, for any of the swamp lands which were conveyed to the President and Directors of the Literary Fund of North Carolina, by an act of the General Assembly, passed at its session in one thousand eight hundred and thirty-six, and one thousand eight hundred and thirty-seven. Proviso.

[Ratified the 8th of December, A. D. 1842.]

CHAP. LIII.

An Act to preserve the natural benefits of the Pamlico Sound,
to the citizens of this State.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That any person who is not a citizen of this State, who shall use drag nets in the waters of the Pamlico Sound, for the purpose of catching Terrapins, shall, upon conviction before any Justice of the Peace, for each and every such offence, forfeit and pay the sum of one hundred dollars, to be recovered by action of debt, by any person, who may warrant for the same; one half to the use of the informant, and the other half to the wardens of the poor in such county where the offence may be committed. Prohibits the catching of Terrapins with drag nets, by those who are not citizens

SEC. 2. *Be it further enacted,* That if any free white person shall violate the provisions of this act, said person so offending, and being unable to pay the fine imposed, shall, up-

on conviction, be imprisoned at least twenty days.

Penalty on
free persons
of color.

SEC. 3. *And be it further enacted, by the authority aforesaid,* That if any free person of color, shall violate the provisions of this act, said person so offending, and being convicted thereof, shall receive on his or her bare back, thirty nine lashes.

SEC. 4. *And be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified the 19th day of January, A. D. 1843]

CHAP. LIV.

An Act for the better regulation of the Offices in the Capitol, and for other purposes.

Room to be
fitted up for
Supreme
Court.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the rooms in the Capitol, now occupied by the Comptroller, shall be fitted up for the use of the Supreme Court, Clerk's office, and Library belonging to said court; and the sum of four hundred dollars is hereby appropriated, to be laid out under the direction of the deputy Clerk of said court, or so much thereof as may be necessary for that purpose, to be paid by the Treasurer, on the warrant of the Governor, when the work is completed; and all that portion of the State Library, purchased for the use of the Supreme Court, together with the records of said Court, shall be kept in said rooms, under the superintendence of the Clerk of said court.

Comptrol-
ler's Office
where kept.

SEC. 2. *Be it further enacted,* That the Comptroller's Office shall be kept in the room in the South East corner of the Capitol, and the Treasurer's office in the adjoining room

and that the room now occupied by the Supreme Court, shall be set apart for the use of the Engrossing Clerks.

SEC. 3. *Be it further enacted*, That the Secretary of State shall offer for sale, to the highest bidder at such time, and on such terms as he may deem most expedient, all the offices on the Capitol Square, formerly occupied by the Governor, Comptroller, Treasurer and Secretary of State; the purchaser removing the same in a reasonable time; and the proceeds thereof shall be paid into the Public Treasury. Secretary to
sell old offi-
ces.

SEC. 4. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. LV.

An Act to amend and suspend certain provisions of an act, ratified on the 7th January, 1839, entitled "an act concerning weights and measures, adopted by resolution of Congress, as Standards throughout the United States.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the above recited act be, and the same is hereby amended, so as to authorize the Governor to procure and have delivered, as therein directed, a yard measure, according to the measure of the said standard, as adopted by the resolution of Congress aforesaid, to be made of substantial wood, to be duly sealed, marked and stamped with the letters "N. C.," to be of a suitable size, and to be placed in a secure wooden box, with such fixtures to the same as he may deem necessary for its proper use and preservation. Governor
may pro-
cure yard
measure of
wood.

Other mea-
sures to be
procured by
the Govern-
or.

Sec. 2. *Be it further enacted*, That the Governor shall also procure and have delivered as directed in said act, the following measures, viz: the half bushel, the peck, the gallon, the half gallon and quart, the pint, the half pint and gill; and that he cause the same to be duly stamped, with the letters "N. C."

Provisions
of former
act suspend-
ed

SEC. 3. *Be it further enacted*, That so much of said act as requires the Governor to procure, and have delivered, the other weights and measures mentioned in the resolution of the Congress of the United States, approved the 14th June, 1836, except the measures named in this act, be, and the same is hereby suspended until the order of some future General Assembly of this State; *provided*, that nothing herein contained shall be so construed as to prevent the Governor from procuring and delivering to such of the Clerks of the several County Courts as directed in said act, as may not yet have received the same, such weights or measures as may have been received by other Clerks of the County Courts in this State.

Provision
for pay-
ment.

Sec. 4. *Be it further enacted*, That if the sum necessary to carry into effect the provisions of this act, and the act of which it is amendatory shall exceed the sum of ten thousand dollars, then the Governor is hereby authorized to draw on the Public Treasurer for such sums (in addition to the sum now authorized by law,) not exceeding five thousand dollars, as he may deem necessary, to carry into effect the provisions of this act and the act of which it is amendatory; to be paid out of any moneys in the Treasury not otherwise appropriated.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. LVI.

An Act for the relief of the purchasers of Cherokee lands.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the further collection of the principal monies now due ^{Collections suspended.} on the bonds executed to the State of North Carolina, by the purchasers of Cherokee lands, be, and the same is hereby suspended for the term of two years, from and after the first day of January, A. D. 1843: *Provided nevertheless,* that all persons, claiming the benefit of this act, shall, and they are hereby required to pay to the Treasurer, or to the agent authorized by law to receive the same, on or before the first ^{Proviso.} day of January, 1844, all the interest that shall have accrued on their bonds up to that period, and shall thereafter pay annually, the accruing interest, until the first day of January, A. D. 1845.

SEC. 2. *Be it further enacted,* That no person or persons shall be entitled to the benefit of this act until the said persons shall have made the payments herein before required to be ^{Who shall not be entitled to the benefits of this act.} made; and all persons refusing or neglecting to make said payments, within twenty days after the expiration of the periods herein before specified for making the same, shall and may be proceeded against by suit or suits, at Law or in Equity, in the same manner and under the same rules, regulations and restrictions, as heretofore prescribed by law.

SEC. 3. *Be it further enacted,* That nothing in this act contained shall be so construed as to prevent persons coming within the purview of its provisions, from paying the whole, ^{Not to prevent voluntary payments.} or any portion of the respective amounts due on their bonds, at any time they may think proper.

Treasurer
shall make
out state-
ment, &c.

SEC. 4. *Be it further enacted*, That the Treasurer of the State, be, and he is hereby authorized and directed to make out a fair statement of the amounts due upon each of the bonds respectively given by the purchasers of Cherokee lands, together with the names of the obligors, and the amount of interest, that may be due on each bond separately, up to the first day of January, A. D. 1844, and forward the same to the agent for the collection of Cherokee Bonds.

Agent may
require re-
newal.

SEC. 5. *Be it further enacted*, That nothing in this act contained, shall be so construed, as to prevent the agent from requiring a renewal of the bonds whenever, in his opinion, the public interest shall require it, or from instituting suit on said bonds, in case of failure on the part of the principal obligor or obligors, therein to give further and additional securities, when required to do so, by the agent now authorized by law to demand the same.

Repealing
clause.

SEC. 6. *Be it further enacted*, That all laws and clauses of laws in conflict with the provisions of this act, be, and the same are hereby repealed.

SEC. 7. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 26th day of January, 1843.]

CHAP. LVII.

An Act for the better regulation of the Militia of this State.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the commissions authorized and directed by the ninth section of the Militia laws of this State, to be granted to the several Aids de Camp, Division Inspectors, Division Quarter Masters, Brigade Inspectors, Hospital Surgeons, and two Masters Assistant, Deputy Quarter Master Generals of the Governor, Major Generals and Brigade Generals, shall be held during the pleasure of the officers to whom such Aids de Camp, Division Inspectors, Division Quarter Masters, Brigade Inspectors, Hospital Surgeons, and two Mates Assistant, Deputy Quarter Master Generals, may be attached. Commissions to be held during pleasure of officers.

SEC. 2. *Be it further enacted,* That every Captain or Commanding officer of a Company, shall, at least twice in each and every year, at such place or places as may be designated by a majority of his Company, call them together, and shall muster, train and exercise his company, and shall cause them to remain under arms at least two hours on every day, when so called together; at which muster, the officers and privates shall appear, armed and equipped, as is already required by the laws of this State. Company to muster twice a year

SEC. 3. *Be it further enacted,* That all writs of execution issuing upon a judgment or judgments, entered up before and by any Court Martial, sitting under the laws of this State, shall be directed to any Constable of the county, which Constable shall proceed to execute the same, in the same manner, and under the same rules as are now established in civil cases, for the government of Constables, and shall be allowed the same fees for his services, and shall make his returns to the next Company Court Martial, under a penalty Fines, how collected and appropriated.

of twenty dollars, for every neglect of duty, to be recovered by suit on his official bond, in the name of the commanding officer of the company, from whose Court Martial said execution or executions may have issued. Any penalty so recovered in the name of the commanding officer, from a Constable, shall be appropriated as fines of Militia are now directed to be appropriated by law; and in case said commanding officer shall fail in any such suit, he is hereby authorized to use so much of the fines of his company as may be necessary to defray the expense of such suit.

SEC. 4. *Be it further enacted*, That if any officer commissioned, shall suffer himself to be intoxicated on parade or drill, or behave in a riotous or disorderly manner, when on duty, or disobey the orders of his commanding officer, he may be ordered in arrest, by said commanding officer, until the parade or drill is over, or the duty performed, and shall be subject to trial by a Court Martial, and by them fined, not to exceed twenty-five dollars, or at their discretion, shall be reprimanded publicly, or cashiered. If any non-commissioned officer or private, shall, during the time of muster, or whilst on duty, behave in a disorderly manner, or resist, or refuse to obey his commanding officer, he shall be liable to be ordered in arrest, by such commanding officer, during the time of muster or duty, and fined at the discretion of the Court Martial, not to exceed five dollars, provided the aforesaid Court Martial be regularly detailed as is prescribed by the Militia laws of this State.

SEC. 5. *Be it further enacted*, That out of the Militia of this State, there may be enrolled as many volunteer companies of Artillery, Light Infantry, Grenadiers or Riflemen, as may see fit to enroll themselves into such; each company to consist of at least thirty-two privates, four Sergeants, three Lieutenants, (the third Lieutenant to be the Ensign,) and one Captain; and it shall be lawful for persons subject by law to be enrolled in the Militia, to join any volunteer company in a regiment adjoining that in which they reside.

SEC. 6. *Be it further enacted*, That the forty-second chapter, second section, of the act concerning the Militia, passed

Penalty for
intoxica-
tion.

Volunteers
may be en-
rolled.

at the session of the Legislature in 1840-'41, be, and the same is hereby so amended, as to reduce the penalties imposed upon Captains, from seventy-five dollars, to twenty-five dollars. Penalty reduced.

SEC. 7. *Be it further enacted*, That no person who now is, or shall hereafter procure himself to be enrolled in any troop of Cavalry, shall be permitted to return to the Infantry, except as provided by the fifty-seventh section of the Revised Statutes, relative to the Infantry; and it shall be sufficient for any person to be enrolled and approved by the Captain of of any troop of Cavalry, without the intervention of any other officer whatever: *Provided always*, that each person enrolling himself, shall have six months from the time of each enrollment, to equip himself, and shall be subject to do duty in the Cavalry only. Trooper not to return to infantry.

SEC. 8. *Be it further enacted*, That the fiftieth section of the Revised Statutes in relation to the Cavalry, (except so much thereof as provides that no person shall be commissioned in any troop of Cavalry, unless the number is such as is prescribed by said act,) be, and the same is hereby repealed. Repealing clause.

SEC. 9. *Be it further enacted*, That whenever any troop of Cavalry shall be formed in any Brigade in the State, where there is not a sufficient number of troops to form a regiment, the commissioned officers of said troop, shall be recommended by the Brigadier General to the Governor, who shall thereupon issue commissions as in other cases of Company Officers of Cavalry. Forming troop of Cavalry, &c.

SEC. 10. *Be it further enacted*, That all laws and clauses of laws conflicting with the provisions of this act, be, and the same are hereby repealed.

[Ratified the 27th of January, 1843.]

CHAP LVIII.

An Act to amend an act entitled "an act for the establishment and better regulation of Common Schools," passed in the year 1841.

Sense of
the people
in counties
which have
refused to
adopt
schools to
be taken a-
gain at next
election.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That it shall be the duty of the Sheriffs of the several counties in this State, which have refused to adopt the Common School system, as established by law, when they advertise the next election for members of Congress, or members of the next General Assembly, to give notice by public advertisement, in every election precinct in each of the said counties, that the sense of the people will be taken at such election, to ascertain whether a majority of the qualified voters of such counties is in favor of Common Schools. It shall be the duty of the persons appointed to hold the several elections in the said counties, to prepare a box to receive the votes of the people for and against Common Schools; at which election, all persons entitled to vote for members of the House of Commons, shall have the right to vote; and every voter in favor of adopting the system of Common Schools, who chooses to exercise the right of voting, shall write on his ticket, "School," and every one opposed to it, "no School." The poll keepers shall return a statement with their other returns, of the votes given for and against Common Schools, to the Sheriff of their county, who shall compare the said returns, and make a certified statement thereof to the President and Directors of the Literary Fund, within thirty days after the said election. And if it shall appear from the said returns, that a majority of the qualified voters of any of the said counties, did vote in favor of Common Schools, then such county or

counties, shall be entitled to draw from the Literary Fund, by warrant from the Comptroller in favor of the Chairman of the Board of Superintendents of each county, the portion to which such county or counties are properly entitled, to place them on a footing of equality with the counties which shall have already received their portion of the said Fund—and shall be entitled to all the benefits, privileges and advantages, and subject to all the duties and responsibilities of the act before mentioned.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Superintendents of Common Schools to keep a true and just account of all school moneys received and expended by them, during the year for which they shall have been chosen, when and of whom received, and for what and to whom paid, and the balance, if any remaining on hand—and shall lay the same before the Committee of Finance of their respective counties; and if no committee of Finance, then before the Clerk of the County Court, together with the vouchers in support of the charges therein made, on or before the second Monday of October, in each year; which account it shall be the duty of the said Committee of Finance, or the Clerk of the County Court, as the case may be, to carefully examine, and if found correct, to certify the same; one copy of which account shall be recorded in the book kept by the Clerk of the County Court, in which all the proceedings of the Superintendents are kept, and one copy shall be set up by the Clerk in the Court House.

SEC. 3. *Be it further enacted*, That if, in settling their account as required by the foregoing section, any balance shall be found remaining in the hands of the said Board of Superintendents, or any of them, the same shall immediately be paid by them or him, to his or their successors in office; and if the payment of the same shall be improperly delayed, it shall be the duty of such successors in office to bring suit in their name of office, in the Superior or County Court of their county, for the recovery with interest, if any balance so found to be due.

SEC. 4. *Be it further enacted*, That the election for choosing the Committees of Common Schools in each county,

Counties adopting to be placed on equal footing, &c.

Superintendents to keep account of School moneys.

Balance to be paid over.

Of election
of School
committee.

shall be held in the several counties on the fourth Saturday which shall happen after the Superintendents of Common Schools shall have been appointed in the several counties of this State; which election shall be conducted in the manner prescribed in and by the 8th section of the act of 1840 and 1841, entitled "an act for the establishment and better regulation of Common Schools."

Penalty for
misapplying
school fund

SEC. 5. *Be it further enacted*, That if the Board of Superintendents, or any member thereof, in this State, shall misapply to purposes unconnected with Common Schools, any of the school funds placed in the possession of the said Board, or any member thereof, the person or persons so offending and assenting thereto, if he be a member of said Board, shall be deemed guilty of a misdemeanor in office, and shall be subject to indictment in the County or Superior Court of the county where the offence shall have been committed, and on conviction thereof shall be fined or imprisoned at the discretion of the court.

Free per-
sons of co-
lor not to
be taxed.

SEC. 6. *Be it further enacted*, That it shall not be lawful for any County Court in this State, to tax any free person of color, for the support and maintenance of any Common School or Schools in this State.

Committee
not to re-
ceive school
moneys.

SEC. 7. *Be it further enacted*, That it shall not be lawful for any Committee of Common School, to receive into their hands, any of the funds set apart for the support of Common Schools; but whenever it shall become necessary for any such Committee to incur any expense in the purchase of a piece of land on which to erect a school house, or to rent, build, or repair a school house, it shall be lawful for such Committee, or a majority of them, to state an account for such expense, and to draw on the Chairman of the Board of Superintendents for the same, which account shall accompany the draft so drawn, and shall be paid by the said Chairman, provided such Committee of Common Schools or the school district they represent, shall have in the hands of the Chairman of the Board of Superintendents, a sum sufficient to pay the same.

SEC. 8. *Be it further enacted*, That it shall be the duty of the several County Courts of this State, to require the Chairman of the Board of Superintendents of Common Schools, to enter into bond, with good and sufficient security, in such sum as they may deem recoverable* and adequate, conditioned for the faithful discharge of his duties. Superintendents to give bond.

[Ratified the 25th day of January, 1843.]

—
*Reasonable?—Pr.

CHAP. LIX.

An Act to direct the investment of a portion of the Literary Fund, to preserve the faith and credit of the State from being tarnished by her endorsement of the Bonds of the Wilmington and Raleigh Rail Road Company, under an act passed in the year eighteen hundred and forty and forty-one.

Whereas, bonds heretofore endorsed by virtue of an act of the General Assembly, passed in the year eighteen hundred and forty and forty one, by the Public Treasurer of this State, for the Wilmington and Raleigh Rail Road Company, to the amount of fifty thousand dollars, and now under protest, and the State is looked to for payment: Preamble.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the President and Directors of the Literary Fund, be, and they are hereby authorized and directed to invest fifty thousand dollars of the Literary Fund in the redemption of that amount of bonds, issued by the Wilmington and Raleigh Rail Road Company, endorsed by the Public Treasurer, under the act passed in eighteen hundred and forty, entitled an act for the relief of the Wilming- Amount to be invested by Literary Board.

ton and Raleigh Rail Road Company, and which bonds were made payable on the first day of January, one thousand eight hundred and forty-three: *Provided*, that the said Company shall pay the interest on the said bonds, which shall have accrued up to the day on which they are made redeemable.

Condition
on which
investment
is made.

SEC. 2. *Be it further enacted*, That the authority hereby granted to the President and Directors of the Literary Fund, is given under the express condition, that the President and Directors of the said Wilmington and Raleigh Rail Road Company, shall give their consent to a free and full investigation by such agent as shall be appointed by the present General Assembly, of the condition and affairs of the said Company, its receipts and expenditures, its liabilities and income, the value of all its property, independent of the Rail Road, and its future prospects; and furthermore, to a full examination of such books and papers, as in his judgment may be necessary to obtain the information contemplated by this section.

[Ratified the 17th day of January, A. D. 1843.]

OFFICIAL BONDS.

CHAP. LX.

An Act concerning the bond of the Public Treasurer.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the following shall be the form of the Public Treasurer's Bond for the discharge of the duties imposed by law upon him, to wit:

STATE OF NORTH CAROLINA.

Know all men by these presents, that we, A. B. principal, and the other obligors whose names are hereunto subscribed as his sureties, are held and firmly bound unto the State of North Carolina, in the just and full sum of two hundred and fifty thousand dollars, for the payment of which we bind ourselves, our heirs, executors and administrators. Witness our hands and seals, this the day of A. D. Form of Bond.

The condition of the above obligation is such, that whereas the above bounden A. B. hath been appointed Treasurer of the State: now if he shall faithfully account for all moneys and other things which shall come to his hands in virtue of his office, and perform all other duties required, and to be required of him by law, then the above obligation to be void; otherwise to remain in full force and virtue.

[Ratified the 21st of January, 1843.]

[CHAP. LXI.]

An Act to facilitate recoveries in suits on official bonds.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That whenever hereafter any instrument shall be taken by or received under the sanction of a Court of Record, purporting to be a bond executed to the State, for the performance of any duty or duties belonging to any office or appointment, such instrument, notwithstanding any irregularity or invalidity, in the conferring of said office, or in making of said appointment, and notwithstanding any variance, either in the penalty or condition of the instrument, from the provisions prescribed by law, shall be valid, and may be put in suit in the name of the State, for the benefit of the person or persons injured by a breach of the condition thereof, in the same manner as if the office had been duly conferred, or the appointment duly made, and as if the penalty and condition of the said instrument had conformed to the provisions of law: *Provided always,* that the said instrument be in all other respects executed with the solemnities which are required in the execution of deeds: *And provided also,* that no action shall be sustained thereon, because of the breach of the condition thereof, or of any part of the condition thereof which is contrary to law.

Bond not to be void in consequence of irregularity or invalidity in conferring office.

Proviso.

[Ratified the 26th of January, 1843.]

CHAP. LXII.

An Act to direct the reference of suits on the Bonds of Sheriffs and other officers.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That hereafter, when any suit shall be brought upon any official bond or bonds, given by virtue of his office, by any Sheriff or other public officer, in any county in this State, it shall be in the discretion of the court, on motion of either party, at any time during the pendency of said suit, to refer the same, for an account to be taken, in the same manner, and under the same rules, regulations and restrictions as are now provided for the reference of suits on bonds given by Executors, Administrators and Guardians. Court may refer.

[Ratified the 7th of December, A. D. 1842.]

RALEIGH REGULATIONS.

CHAP. LXIII.

An Act to invest the Intendant of Police of the City of Raleigh with the same powers and authorities, within that Corporation, as is exercised by Justices of the Peace, and for other purposes.

Intendant
invested
with powers
of a
Justice of
the Peace.

Proviso.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Intendant of Police of the City of Raleigh, for the time being, shall have the same powers and authorities, privileges and immunities, and may exercise the same duties, in civil or criminal cases, within the limits of said corporation, as now are, or may hereafter be, vested in Justices of the Peace; and shall be subject to the same pains and penalties for a violation of their duty, while acting as Justices aforesaid: *Provided,* that nothing in this act contained shall be so construed as to invest in such Intendant of Police the power of holding the County Courts.

Intendant
may issue
precepts to
Sheriff, or
Constables.

SEC. 2. *And be it further enacted,* That for the purpose of enforcing the powers and authorities hereby vested in him, the Intendant of Police aforesaid shall have power to issue his warrants or other precepts to the town Constable, or the Sheriff of the county, or any Constable of the county.

Compensa-
tion.

SEC. 3. *Be it further enacted,* That the Intendant of Police of the City of Raleigh, aforesaid, shall receive such fees or be allowed such compensation out of the funds of the

corporation, as may be allowed him by the Commissioners of Police thereof.

SEC. 4. *Be it further enacted*, That all laws or clauses of laws, coming within the meaning and purview of this act, be, and the same are hereby repealed; and that this act shall take effect and be in force from and after the first day of February next. Repealing
clause.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. LXIV.

An Act to amend the act of 1792—'3, and the several subsequent acts, for the regulation of the City of Raleigh, and to authorize the Intendant of Police and the Commissioners of said City to levy a special or guard tax for said City.

Whereas it has heretofore been the custom to classify the citizens of Raleigh into Watches or Guards, for the protection of the property, and for the preservation of the good order of the said City, thereby imposing as much duty on a mere inhabitant or temporary resident of the City, as is performed by the wealthiest proprietor, and requiring the citizens to perform duty for the protection of the property of non-residents, when that property contributes nothing for its protection, which is onerous and unequal in its operation: Preamble.

SEC. 1. *Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the Intendant of Police and the Commissioners of the City of Raleigh shall have power to

Amount of
tax.

levy a tax of not more than twenty-five cents on the one hundred dollars worth of property, and one dollar on each taxable poll, for the purpose of hiring a guard or patrol for said City, to be levied and collected as other taxes are now levied and collected; and the guard so employed, shall have all the powers and authority belonging to the City Watch or Guards as heretofore established.

SEC. 2. *And be it further enacted*, That this act shall go into effect immediately after its passage and ratification.

[Ratified the 23d day of January, A. D. 1843.]

ROADS.

CHAP. LXV. ✓

An Act in relation to the duties of Overseers of Roads.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That all fines recovered and collected by the Overseers of public roads of persons who fail to work the same, shall be applied, by said overseers, to keeping their roads in the repair required by law. ^{Fines how applied.}

SEC. 2. *Be it further enacted,* That this act shall be in force from and after the ratification thereof.

[Ratified the 9th day of January, A. D. 1843.]

✓
CHAP. LXVI.

An Act to amend the 10th section of the 104th chapter of the Revised Statutes.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, if it shall happen that any overseer of a road shall fail to be able to see, in time, the person or persons, or the owner or owners of slaves, who are required by law to work on said road, it shall be the duty of said overseer, at least three days before the time appointed for working on the road, to leave at the house of said person or persons, or owner or owners of slaves, a written summons, notifying them of the day on which they are required to attend to work on said road, and designating the particular part of the road, and the kind of tools they shall carry with them to perform said work; and said written summons, so left at the residence of said person or persons, or owner or owners of slaves, shall be as binding upon them as a verbal summons received from the said overseer himself would be; and the overseer of said road shall have the right to prove the same in the manner now prescribed by law.

Overseer
when to
leave writ-
ten sum-
mons for
hands.

[Ratified the 20th day of January, A. D. 1843.]

CHAP. LXVII.

An Act to amend the Charters of the several Rail Roads in this State.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Raleigh and Gaston Rail Road, the Raleigh and Wilmington Rail Road, and all other Rail Roads, within this State, shall, and they are hereby compelled to keep, at their expense, in proper repair all bridges by them erected, and which it is the duty of said Companies to keep up across any public road or roads; and should they fail so to do, each and every such Rail Road Company shall forfeit and pay a fine of twenty-five dollars, over and above such damages as may be sustained, to any person who shall sue for the same; and which said penalty shall be recoverable by warrant, returnable before any Justice of the Peace in the county in which the bridge is situate, and which is not kept in proper repair by such company or companies; Provided, that said penalty shall not be incurred until ten days have elapsed from the time said bridge or bridges shall have been out of repair. And all laws and clauses of laws, coming in conflict with this act, are hereby repealed.*

Rail Roads to keep bridges in repair.

[Ratified the 26th of January, A. D. 1843.]

STATE LIBRARY.

CHAP. LXVIII.

An Act in relation to the State Library.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the following be adopted as permanent rules and regulations for the government of the Librarian, and the use and safe keeping of the books belonging to the State Library, that is to say:

Rules for
keeping
books.

First. No person except the Governor of the State, Judges and Reporter of the Supreme Court, and Attorneys practising in the same, and members of the General Assembly of the State, shall be permitted to take any book out of the State Library.

Second. No person authorized to take out a book, shall keep the same more than six days, under a penalty of twenty-five cents, for each and every day, more than six, for each and every volume so kept out, until the penalty so accruing, shall amount to twice the value of said book.

Third. Any person who shall damage, deface or mutilate, any book belonging to said Library, or who shall return any book so damaged, defaced or mutilated, while in his possession, shall forfeit and pay the full amount of said damage; which amount is to be determined by the Librarian, but in no case to exceed double the value of the book.

Fourth. All fines and forfeitures accruing under this act, shall be sued for and recovered by the Librarian, in the name of the State, before any Justice of the Peace; and the Libra-

rian shall be a competent witness to prove any fact, material to the issue. And all fines and forfeitures recovered under this act, shall go into the funds for the increase of the Library.

SEC. 2. *Be it further enacted*, That the Governor and the Judges of the Supreme Court, and their successors in office, be, and they are hereby appointed Trustees of the State Library; and all moneys appropriated for the increase of the Library, shall be laid out under their direction and supervision; and the said Trustees are empowered to make such additional rules and regulations, in regard to the Library, and the use of the books, not repugnant to the rules and regulations, prescribed by this act, as they may deem best. And the said Trustees shall appoint a suitable person as Librarian, at a salary not exceeding three hundred dollars per annum, who shall give bond and security, in such sum as they may determine, payable to the State of North Carolina, conditioned for the safe keeping of the books, and the faithful discharge of his duties as Librarian.

SEC. 3. *Be it further enacted*, That the Secretary of State be, and he is hereby authorized and required to procure for the Library room, one dozen chairs, and two small tables, with drawers, of good quality, and shall supply said room with stationery. And he is hereby authorized and required to have all the books belonging to the State Library, or which may be hereafter added thereto, labeled with the words, "State Library," in gilt letters, provided such labeling does not exceed five cents per volume; and to have bound such pamphlets, acts and Journals of the General Assembly, works of periodical Literature, laws of other States, and documents of the General Assembly, of this State, as now are in or may hereafter be added to the Library, as the property of the State, as in his judgment he may deem advisable; and he is hereby authorized to draw upon the Treasurer for such sums as may be necessary to defray the expenses accruing under this act.

SEC. 4. *Be it further enacted*, That all laws and clauses of laws, conflicting with the provisions of this act, are hereby repealed.

[Ratified the 27th of January, 1843.]

UNIVERSITY.

CHAP. LXIX.

An Act in addition to the Revised Statute, entitled "an act concerning the University of North Carolina."

Tippling
houses pro-
hibited.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person to erect, keep or maintain at Chapel Hill, or within two miles thereof, any tippling house or houses, or establishment whatsoever, for the sale of wine, or spiritous liquor; nor shall it be lawful for any person to sell, or offer to sell or deliver, wine, spiritous liquor, or malt liquor, for the purpose of being used at the University, or within two miles of the University, by a student thereof, without the permission of the President or some member of the Faculty of said University. Any persons violating the provisions of this act, shall be considered guilty of a misdemeanor, and may be prosecuted in any court having cognizance thereof.

SEC. 2. *Be it further enacted,* That this act shall be in force from and after the ratification thereof.

[Ratified the 20th of January, 1843.]

USURY.

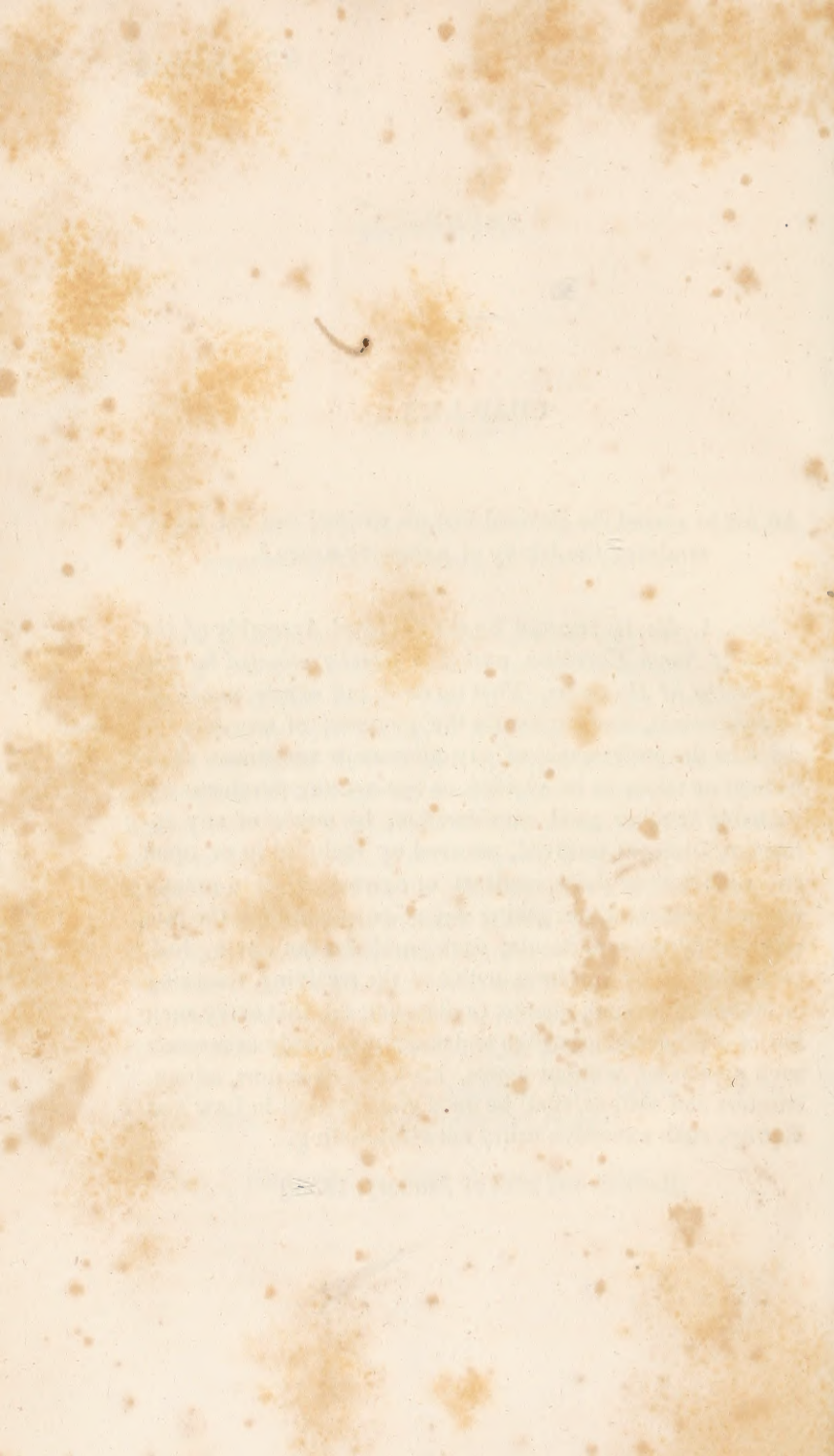
CHAP. LXX.

An Act to amend the Revised Statute, entitled "an act for restraining the taking of excessive usury."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That no deed, bill of sale, mortgage or assignment, made to secure the payment of any debt or debts, or the performance of any contract or agreement, shall be held or taken to be avoided, as against any purchaser for valuable or other good consideration, by reason of any interest or discount received, reserved or included in or upon any such debt or debts, contract or agreement, at a greater rate for forbearance, or giving day of payment, than the rate specified by the said statute; such purchaser not having had, at the time of his purchase, notice of the receiving, reserving or including of such interest or discount; but that every such bill of sale, deed, mortgage and assignment, only as respects such purchaser, without notice, his heirs, executors, administrators and assigns, shall be good and effectual in Law and Equity, such excessive usury notwithstanding.

Innocent purchaser protected.

[Ratified the 27th of January, 1843.]



RESOLUTIONS
OF A PUBLIC NATURE,

PASSED BY THE

LEGISLATURE OF NORTH-CAROLINA,

AT ITS SESSION OF 1842-43.

Resolutions in relation to the United States Arsenal.

Whereas, at its session of 1835—'6, the Congress of the United States, passed an act to establish an Arsenal of deposite and general construction, at some point which would extend to the South the greatest facilities for receiving arms and other munitions of War; and whereas, after mature deliberation on the part of the Military Committee, aided by the experience of the War Department, and at the urgent recommendation of the Chief of Ordnance Bureau, the site of the said Arsenal was fixed near the the town of Fayetteville, in this State, because it combined greater advantages than any other position for an institution of its magnitude and utility, which were fully and ably set forth by Colonel Boonford, in his report(?) on the subject to the War Department; and whereas the said Arsenal has been commenced and progressed with on a scale corresponding with the original design of Con-

Preamble.

gress, requiring, now, but little more to render it efficient for all the purposes of such an establishment and conducive to the safety and protection of a large portion of the Southern country, to wit: North Carolina, the middle and western portions of Virginia, the western portion of Tennessee, the north-western portion of Georgia and So. Carolina, important sections of the country which can be furnished with Military Stores from no other depot with facility and economy; and whereas an intention has been manifested by the War Department to postpone the completion of this highly important work to an indefinite period, if not to curtail and cripple its efficiency:

Expediency of completing arsenal.

1. *Be it therefore resolved, by the General Assembly of the State of North Carolina, That,* in the opinion of this General Assembly, it is expedient and proper that the North Carolina Arsenal, now being erected in this State, should be completed in accordance with the intentions and the original design of the Congress of the United States, the interests of this and the adjoining States alike demanding it.

To convert it into an arsenal of deposit unwise.

2. *Resolved, That* the large amount of money already expended on the North Carolina Arsenal, was unnecessary to make it an arsenal of deposit merely; and that to convert it into an arsenal of that class now, would be unwise, as a military measure, and would disappoint the just expectations of the citizens of the wide extended district of country depending upon it for military supplies and protection.

Request to Senators and Representatives.

3. *Resolved, That* our Senators and Representatives in Congress be requested to use their best endeavors to procure sufficient appropriations of money to ensure the completion of the North Carolina Arsenal, as "an Arsenal of deposit and general construction," in pursuance of the original design of Congress.

4. *Resolved, That* his Excellency the Governor of this State be requested to transmit forthwith a copy of these resolutions to each of the Senators and Representatives of North Carolina, in the Congress of the United States.

[Ratified the 13th day of December, A. D. 1842.]

Resolution for the Clerk of the Senate to purchase a book.

Resolved, That the Clerk of the Senate be authorized and required to purchase a suitable book for enrolling the Committees of the Senate, and the joint Committees of the two Houses of the General Assembly, and his order on the Treasurer, for the amount to be paid for said book, shall be paid by that officer, and shall be a voucher for him in the settlement of his public accounts.

[Ratified the 26th day of December, A. D. 1842.]

Resolution making disposition of Congressional Documents.

Resolved, That his Excellency the Governor, be authorized and requested to transmit to the President of the University of North Carolina, and to each of the Literary Societies in said University, one copy of the Documents, legislative and executive, of the Congress of the United States, in relation to the public lands, in five folio volumes; and also one copy of the "General Public Act of Congress, respecting the sale and disposition of the public lands, with instructions issued from time to time, by the Secretary of the Treasury and Commissioners of the General Land office, and the official opinions of the Attorney General, on questions arising under the land laws," in two octavo volumes, the same being part of twenty-four copies recently transmitted to the State of North Carolina, by order of the United States Senate, and to deposit the remaining volumes in the State Library.

Governor
how to dis-
pose of do-
uments.

[Ratified the 28th of January, 1843.]

Resolution to authorize the printing of Colonial Documents relative to North Carolina.

Resolved, That the Treasurer of the State, be, and he is hereby authorized to have printed, upon terms the most favorable to the State, a manuscript volume in the Governors office, entitled "Indexes to Colonial Documents relative to North Carolina;" and that he deposit ten copies, together with the original manuscript volume, in the State Library.

[Ratified the 26th of January, 1843.]

Resolution in favor of the New York Historical Society.

Secretary
shall fur-
nish docu-
ments.

1. *Resolved*, by the General Assembly of the State of North Carolina, That the Secretary of State be, and he is hereby authorized and required to furnish to the agent, or order of the New-York Historical Society, in the City of Raleigh, one bound set of all official Documents, including the decisions of the Supreme Court, and the laws and Journals of the General Assembly of the State, which may hereafter be published under the laws or order of the Legislature; and if the Secretary shall deem it consistent with the State's collection, he is authorized to furnish to the agent of said society as aforesaid, one bound copy of such Documents as have been published for preceeding years.

2. *Resolved further*, That the Secretary of State transmit a copy of these resolutions to the "Librarian of the Historical Society, Stuyvesant Institute, New-York."

[Ratified the 27th of January, 1843.]

Resolution of Instruction.

1. *Resolved*, That the Legislature of this State have a right to instruct the Senators of this State in Congress, whenever, in the opinion of the Legislature, they misrepresent the wishes of the State, or the magnitude of the occasion shall require such instructions; and that it is the duty of the Senators to obey the instructions given or to resign their seats: *Provided*, the instructions to be given and obeyed, require not the Senator to commit a violation of the Constitution, or an act of moral turpitude. Right asserted.
2. *Resolved*, That while North Carolina, in the opinion of this Legislature, will never object to any amount of taxes, equally apportioned and imposed for the purpose of raising revenue, to support the Government, economically administered; yet this State will never consent to the imposition of taxes, the design and operation of which are to promote the interests of particular occupations at the general expense. Taxes to which the State will not consent
3. *Resolved*, That the Tariff law, passed by the present Congress, is based on protective principles, operating as a bounty to the manufacturing interests, and imposing unjust, unequal and oppressive burdens upon other branches of industry, and particularly those peculiar to the Southern States, and that such being the effects of this law, it is unwise in policy, dangerous to public liberty, and a perversion of that free constitution of Government, which was framed and adopted for the protection and security of all, and which will be best sustained, by the equal operation of its laws, and the just dispensation of its benefits to every American citizen. Of the Tariff
4. *Resolved*, That this law is not only protective in its character, and unequal in its operation; but that it violates the compromise of 1833, unjustly depriving the South of the benefits of that act precisely at the period when they were to accrue to us, and immediately after we had patiently Of the compromise.

and patriotically endured all its burdens; and therefore, in the name of honor, justice and good faith, the Legislature of North Carolina, do protest against this law, and insist that it should be modified, so as to place it on the basis of revenue duties.

Of the
bankrupt
law

5. *Resolved*, That this Legislature do highly disapprove of the Bankrupt law, passed by the present Congress, and desire its immediate repeal, because it impairs the obligation of contracts, destroys confidence and credit; encourages frauds and reckless speculation, and because we believe there is scarcely a division of sentiment among the people of North Carolina, in their opposition to this measure.

Of the fine
on Gen.
Jackson.

6. *Resolved*, That the fine imposed upon Gen. Andrew Jackson, during the late war, by Judge Hall, should, in the opinion of this Legislature, be immediately refunded, with full legal interest, without any proviso or qualification whatever as an act of justice to a brave, meritorious and distinguished, officer.

The Veto.

7. *Resolved*, That the Executive Veto, limited as it is by the wisdom of our fathers, is a conservative and necessary power, of which the President should never be deprived.

Senators
instructed.

8. *Resolved*, That our Senators in Congress be, and they are hereby instructed, and our Representatives requested, to carry into effect the principles set forth in the foregoing resolutions.

9. *Resolved*, That the Governor of this State, be required to forward a copy of these resolutions to each of our Senators in Congress, with the request that they lay them before the Senate of the United States.

[Ratified the 26th day of January, A. D. 1843.]

Resolution in favor of the State Librarian.

Resolved, That the Public Treasurer pay James D. Bridges, one hundred and twenty-five dollars, for arranging the State Library and acting as Librarian during the present session of the Legislature; and that he be allowed the same in the settlement of his public accounts.

[Ratified the 27th of January, 1843.]

Resolution directing the Public Treasurer to carry to the credit of the Literary Fund, the sum of \$22,917 97.

Resolved, That the Public Treasurer be, and he is hereby directed to carry to the credit of the Literary Fund, the sum of twenty-two thousand, nine hundred and seventeen dollars, and ninety-seventy cents, being the amount lately received from the General Government, for the portion to which this State is entitled of the proceeds of the sales of the Public Lands, under the act of Congress, entitled "an act to appropriate the proceeds of the sales of the Public Lands, and to grant pre-emption rights;" to be held, used, invested and managed as money belonging to said President and Directors, is directed by the act passed in the year 1836, entitled "an act to drain the swamp lands of this State, and to create a fund for common schools," For the benefit of schools.

[Ratified the 26th day of January, A. D. 1843.]

Resolution authorizing the loan of the Literary Fund.

Resolved, That the President and Directors of the Literary Fund be authorized to loan upon sufficient security, the balance on hand of the principal of the Literary Fund, or to invest the same according to an act, entitled "an act to drain the swamp lands of this State, and to create a fund for common schools."

[Ratified the 26th day of January, A. D. 1843.]

Resolution relating to the President and Directors of the Literary Fund.

Resolved, That the present General Assembly fully concur with the President and Directors of the Literary Fund, in the opinion expressed in their annual report, that no new work for the drainage of the swamp lands should be undertaken, until those already reclaimed shall have been brought into market, and the value of the improvements fully tested.

[Ratified the 25th day of January, A. D. 1843.]

Resolution concerning the payment of \$609 90 to Literary Board.

Resolved, That the Public Treasurer be, and he is hereby authorized and directed to pay to the Literary Board, the sum of six hundred and nine dollars and ninety cents, (\$609

90) with interest on the same from the third day of February, 1841, out of any monies in the Treasury not otherwise appropriated; it having been borrowed by George E. Badger and D. W. Stone, Esqrs. from said Board, to pay off a debt due the contractors for furnishing public buildings; the same not having been provided for on account of a clerical error in summing up said accounts at the last session of the General Assembly.

[Ratified the 21st of January, 1843.]

A Resolution authorizing the purchase of a copy of Hatsell's Precedents and Observations on Parliamentary Law.

Resolved, That the principal Clerk of the House of Commons be, and he is hereby directed to purchase, for the use of the General Assembly, a copy of Hatsell's Precedents and Observations on Parliamentary Law, provided the cost shall not be more than twenty-five dollars.

2. *And be it further resolved*, That the Public Treasurer pay the cost thereof; and that he be allowed the same in the settlement of his public accounts.

[Ratified the 24th day of January, A. D. 1843.]

Resolution concerning the Bonds of the Raleigh and Gaston Rail Road Company:

Whereas, by an act of the General Assembly at the last session, entitled, an act to secure the State against any and every liability incurred for the Raleigh and Gaston Rail

Preamble

Road Company, and for the relief of the same, it was, among other things, provided that the bonds given by the stockholders and others, for five hundred thousand dollars, should be renewed every two years, or that the same be put in suit; and whereas it may become necessary that the bonds of other persons should be substituted in lieu of those which have been already executed, pursuant to the provisions of said act.

Resolved therefore, That the Governor, Treasurer and Comptroller, be, and they are hereby authorized to substitute and receive the bonds of other persons in lieu of those already executed, whenever it may become necessary to renew the same; taking care that the bonds so substituted, be well and satisfactorily secured, agreeably to the provisions of the act of 1840.

Bonds of
others may
be substituted.

[Ratified the 25th day of January, A. D. 1843.]

A Resolution relative to Stationery.

Resolved, That the Secretary of State is hereby instructed to purchase suitable Stationery for this General Assembly, and that the Treasurer pay the same out of any money's not otherwise appropriated; and that he be allowed the same in the settlement of his public accounts.

[Read three times and ratified in General Assembly the 14th December, 1842.]

Resolution relative to the Public Treasurer.

Resolved, That Charles L. Hinton be, and he is hereby appointed Agent for this State, until his successor in office is qualified and prepared to enter upon the duties of the office of Public Treasurer, for the purpose of receiving any monies offered for the entry of lands; and his receipt for the same shall be sufficient to enable the individual thus paying in monies to proceed to the completion of grants as now provided by law.

[Ratified the 29th day of December, A. D. 1842.]

Resolution relating to the Treasurer.

Resolved, That the Public Treasurer be, and he is hereby authorized to borrow from the fund set apart for Internal Improvement, the Literary Fund or from either of the Banks in this State, such sum or sums of money, from time to time at six per cent. interest, provided it shall not exceed fifty thousand dollars, until the next meeting of the General Assembly, as may be necessary to meet the proper charges authorized by law against the Government; which sum or sums, so borrowed, it shall be his duty to repay as soon as the Treasury is in a condition to enable him to do the same.

Treasurer
may borrow
money.

[Ratified the 25th of January, 1843.]

Resolution directing the Board of Public Buildings to sell the old Railings around Union Square.

Resolved, That the Board of Public Buildings be directed to sell the railings around Union Square, at as early a day as practicable, upon such terms as they may deem advisable; and also to sell such articles of public property as are deemed by said Board to be of no use for the public service, and pay the proceeds of the sales herein directed to be made to the Public Treasurer.

[Ratified the 28th day of January, A. D. 1843.]

PRIVATE ACTS
OF THE
STATE OF NORTH-CAROLINA,
PASSED BY THE GENERAL ASSEMBLY,

At their Session which commenced on Monday the twenty-first of November, one thousand eight hundred and forty two, and ended on Saturday the twenty-eighth of January, one thousand eight hundred and forty-three.

ACADEMIES.

CHAP. I.

An Act to incorporate the Trustees of the Ashborough Male Academy, in the county of Randolph.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Alfred H. Marsh, Hugh M'Cain, Jonathan Worth, William A. Hamlin, J. M. A. Drake and John D. Clancey be, and they*

are hereby declared a body politic and corporate, to be known and distinguished by the name and style of the Trustees of the Ashborough Male Academy; and by that name shall have perpetual succession and a common seal, and shall be able and capable in Law of holding lands, tenements and chattels, sufficient for the uses and purposes of said school, and of suing and being sued, pleading and being impleaded.

SEC. 2. *Be it further enacted*, That the said Corporation shall have power to make such rules, regulations and by laws, not inconsistent with the constitution of the United States or of this State, as may be necessary for the good government of said school, and the management of the property and funds of the same; and also to fill all vacancies in said Board of Trustees as may be occasioned by death, resignation or otherwise, and to appoint such officers for the management of said school as they may deem necessary.

[Ratified the 25th day of January, A. D. 1843.]

CHAP. II.

An Act to incorporate the Beaufort Male and Female Academy in the town of Beaufort.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That Asa Canaday, Malachi B. Roberson, John F. Jones, Marcus C. Thomas, Benjamin L. Perry, Isaac Ramsey, Benjamin Le-craft, William J. Potter, Thomas Duncan, James Ward and James Mauncey, of the county of Carteret, and their successors, be, and they are hereby constituted a body politic and corporate, to be known and distinguished by the name and style of the Trustees of the Beaufort Male and Female Academy; and by that name shall have succession and a common seal, and shall be able and capable, in law to have, receive and possess lands and tenements, goods, chattels and

moneys acquired by gift or otherwise, and use and apply the same according to the will of the donor, or dispose of the same when not forbidden by the terms of the gift. They may sue and be sued, plead and be impleaded in any court of justice, and shall have power to fill vacancies in their body, which may occur by death, resignation or otherwise; establish such laws and regulations for the government of said Institution as may be necessary for the preservation of order and good morals, and not inconsistent with the constitution and laws of this State or of the United States; and to do and perform all such acts as are incident to, and usually exercised by bodies politic, for the accomplishment of the object contemplated.

SEC. 2. *Be it further enacted*, That six of said Trustees shall always constitute a quorum to do any business connected with said Academy.

[Ratified the 25th of January, 1843.]

CHAP. III.

An Act to incorporate Franklin Academy, in the County of Duplin.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That John Carr, Benjamin Oliver, Joshua Loftin, William B. Hurst, Jesse Swinson, Albert R. Hicks, Elisha Herring, and James G. Dickson, be, and they are hereby incorporated by the name and style of the Trustees of Franklin Academy; and by that name shall have succession and a common seal; sue and be sued; plead and be impleaded; acquire by purchase, gift or otherwise, to them and their successors, estate real and personal for the use of the Academy; and to make all such bye laws, rules and regulations, necessary for the good government of said Institution, not inconsistent with the constitution and laws of this State. And in case of a va-

cancy by death, resignation or otherwise, of said Trustees, the remainder of a majority of them may appoint successors to the same, who shall have the same powers and authorities as the Trustees constituted by the provisions of this act.

[Ratified the 3rd day of December, 1842.]

CHAP. IV.

An Act to incorporate the Henderson Academy, in the town of Henderson, in Granville County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That John D. Hawkins, F. Hawkins, Wesley Young, D. E. Young, Alexander Butler, P. E. A. Jones, J. B. Debnam, Triplett T. Estes, Wm. J. Andrews, R. P. Hews, and Alexander Nuttall, be, and they are hereby declared a body politic and corporate, to be known and distinguished by the name and style of the Trustees of Henderson Academy, in Granville County, and by that name and style shall have succession and a common seal, and shall be invested with power and authority to sue and be sued, plead and be impleaded, in any court of justice, and to hold such lands and chattels as may be acquired for the use of the said Academy according to the will of the donors thereof.

SEC. 2. *Be it further enacted,* That the said Trustees and their successors, or a majority of them, shall have power to supply all vacancies which may occur in their body from death, resignation, removal or otherwise; and that this act shall take effect and be in force from and after its ratification.

[Ratified the 24th day of January, 1843.]

CHAP. V.

An Act to incorporate the Trustees of New Hope Academy, in the County of Edgecomb.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That Samuel P. Jenkins, Joseph D. Jenkins, James F. Jenkins, Joshua K. Bullock, John Garrett, and Washington Killebrew, be, and they are hereby declared a body politic and corporate, to be known and distinguished by the name and style of the Trustees of New Hope Academy, in Edgecomb County; and by that name and style shall have succession and a common seal, and shall be invested with power and authority to sue and be sued, plead and be impleaded in any court of justice, and to hold such lands and chattels as may be acquired for the use of the said Academy, according to the will of the donor thereof.

SEC. 2. *Be it further enacted,* That the said Trustees and their successors, or a majority of them, shall have power to supply all vacancies which may occur in their body from death, resignation, removal or otherwise; and that this act shall be in force from and after its ratification.

[Ratified the 26th of January, 1843.]

CHAP. VI.

An Act to incorporate the "Oak Grove Academy," in the County of Anson, and appoint Trustees thereof.

SEC 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That Jesse Beverly, William J. Ledbetter, William Mendenhall, John W. Flake, and Stephen W. Cole, be, and are hereby constituted a body politic by the name and style of the Oak Grove Academy; and by that name may sue and be sued, plead and be impleaded; shall have perpetual succession and a common seal; may acquire, by purchase, gift or otherwise, to them and their successors, estate, real and personal, for the use of the Academy; and enjoy all other powers, privileges and immunities incident to bodies corporate of a like nature.

Sec. 2. *Be it further enacted,* That in case of any vacancy occurring by death, resignation or removal from the county, the remaining Trustees shall have power to fill such vacancy thereby occasioned.

[Ratified the 7th of December, A. D. 1842.]

CHAP. VII.

An Act to incorporate the Trustees of Ridgeway Academy, in Warren County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That* Michael Collins, John Daly, Caswell Drake, Henry L. Plummer, Thomas Carrol, Thomas T. Twitty, Edmund White, Edwin D. Drake and Oliver D. Fitz, be, and they are hereby declared a body politic and corporate, to be known and distinguished by the name and style of the "Trustees of Ridgeway Academy, in Warren County," and by that name and style shall have succession and a common seal, and shall be invested with power and authority to sue and be sued, plead and be impleaded, in any court of justice; and to hold such lands and chattels as may be acquired for the use of said Academy, by purchase, donation or otherwise.

SEC. 2. *Be it further enacted, That* the said Trustees, and their survivors, or a majority of them, shall have power to supply all vacancies which may occur in their body, from death, resignation, removal or otherwise; and that this act shall take effect and be in force from and after its ratification.

[Ratified the 26th of January, 1843.]

CHAP. VIII.

An Act to incorporate Swain's Academy, in Tyrrell County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Samuel Rogers, Silas Davenport, Richard Davenport, Dempsey S. Godfrey, and Starky Hassel, be, and they are hereby constituted a body politic and corporate, by the name and style of the Trustees of Swain's Academy; and by that name may sue and be sued, plead and be impleaded; shall have, a succession and a common seal; and in general, shall have, exercise and enjoy all such rights, powers and privileges as are usually exercised and enjoyed by the Trustees of any incorporated Academy within this State.*

SEC. 2. *Be it further enacted, That any three of the Trustees may constitute a quorum for the transaction of business; and that on the death, refusal to act, or removal out of the State, of any of the Trustees of the Academy aforesaid, the remaining Trustees shall have power to fill such vacancy.*

[Ratified the 21st day of January, A. D. 1843.]

CHAP. IX.

An Act to incorporate "Union Academy," in the County of Lenoir.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That Thomas Rouse, Jas. Davis, Wilham H. Whitfield, Constantine Whitfield, John Davis, Geo. W. Wallace, and Windal Davis, be, and they are hereby incorporated, by the name and style of the "Trustees of Union Academy;" and by that name shall have succession and a common seal; sue and be sued, plead and be impleaded; acquire, by purchase, gift or otherwise, to them and their successors, estate, real and personal, for the use of the Academy; and shall make all such bye-laws, rules and regulations, as are necessary for the good government of said Institution, not inconsistent with the constitution and laws of this State. And in case of a vacancy, by death, resignation or otherwise, of said Trustees, the remainder, or a majority of them, may appoint successors to the same, who shall have the same powers and authorities as the Trustees constituted by the provisions of this act.

SEC. 2. *Be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified the 12th of December, 1842.]

CHAP. X.

An Act to incorporate the Trustees of Midway Academy, in the County of Franklin.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That Nathaniel Macon, Amos Jones, Wood T. Johnson, Ellis Malone, Simon Jeffreys, Washington Branch, William J. Branch, Daniel S. Hill, Thomas Person, James H. Norwood, and their successors, be, and they are hereby declared to be a body politic and corporate, to be known and distinguished by the name and style of the "Trustees of Midway Academy;" and by that name shall have perpetual succession; and shall be able and capable in law to have, receive, and possess lands and tenements, goods, chattels and monies, that may be given to them, and apply the same according to the will of the donor, or dispose of the same if not forbidden by the terms of said gift; they may sue and be sued, plead and be impleaded, in any court of law or equity in this State; shall have power to fill vacancies in their body, occasioned by death, removal, resignation or otherwise; establish such laws and regulations for the government of said Institution as may be necessary for the preservation of order and good morals, not inconsistent with the laws of this State; and do and perform all such acts and things as are incident to and usually exercised by bodies politic for the accomplishment of the object contemplated.

SEC. 2. *Be it further enacted,* That five of said Trustees may constitute a quorum to do any business connected with said Academy.

SEC. 3. *And be it further enacted,* That this act shall be in force from and after the ratification thereof.

[Ratified the 3rd of December, A. D. 1842.]

CORPORATIONS—MONUMENTAL.

CHAP. XI.

An Act to incorporate the Mecklenburg Monumental Association.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That William J. Alexander, William Lee Davidson, Doctor Stephen Fox, Benjamin Morrow, Thomas J. Greer, Daniel M. Barringer, John Phifer, Winslow Alexander, Charles T. Alexander, Senior; James W. Osborne, H. C. Jones, Joseph W. Hampton, Frederick Nash, D. F. Caldwell, Joseph H. Wilson, John Walker, Michael Hoke, John D. Graham, Ephraim Brevard, Burton Craig, George F. Davidson, Patrick J. Winston, Charles T. Alexander, Junior; Alexander W. Brandon, Charles Fisher, Hampton Bynum, John Hill, John M. Morehead, L. D. Henry, David L. Swain, William Gaston, Edward B. Dudley, R. M. Saunders, Isaac T. Avery, William Dixon, A. F. Gaston, William A. Graham, John G. Bynum, Joseph W. Ross, William A. Harris, Cypress Hunter, John Irwin, William Johnson, James B. Knox, Augustus Alexander, Eleazar Alexander, T. N. Alexander, Bartlett Shipp, W. B. Alexander, John H. Wheeler, Cadwallader Jones, Paul Barringer, Thomas Ruffin, Alfred M. Burton, J. J. Daniel, Joseph W. D. Carson, Duncan Cameron, James Iredell, George E. Badger, William H. Haywood, J. Bownes, James H. Morrison, Thomas G. Polk, J. G. M. Ramsey, John Robinson, D. D. Charles W. Harris, Daniel Coleman, Cyrus Alexander, Samuel Mor-

rison, David White, D. T. Caldwell, Alexander Caldwell, Kiah P. Harris, William F. Phifer, Robert Kirkpatrick, and their successors, and such others as may hereafter be associated with them, be, and they are hereby made and declared a body politic and corporate, to be known and distinguished by the name of the "Mecklenburg Monumental Association," for the purpose of receiving donations and opening books and collecting such moneys as may be subscribed for the erection of a suitable monument, in the town of Charlotte, commemorative of the Mecklenburg Declaration of Independence, on the 20th May, A. D. 1775.

SEC. 2. *Be it further enacted*, That said corporation may take, hold and convey all such real and personal estate as may be given by way of donation to said corporation; may have a common seal; may sue and be sued, and plead and be impleaded.

SEC. 3. *Be it further enacted*, That said corporation shall have power to make such rules, regulations and bye-laws, not inconsistent with the Constitution and laws of the State, as may be necessary for the management and good government of the property and funds of the same; and also to fill all vacancies that may be occasioned by death, resignation or otherwise, and appoint all such officers as may be necessary for the proper organization of the same.

SEC. 4. *Be it further enacted*, That all moneys which may be received by said corporation, shall be appropriated towards the erection of a Monument in the town of Charlotte, to the memory of the signers of the Mecklenburg Declaration of Independence, and shall be expended in no other way and for no other purpose whatever.

SEC. 5. *Be it further enacted*, That said corporation shall hold and exercise the powers and privileges hereby granted for and during the term of twenty years from the passage of this act.

[Ratified the 26th of January, 1843.]

CHAP. XII.

An Act to incorporate the Neptune Fire Company, in the Town of Washington.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That* Thomas H. Hardenbergh, Lewis B. Myers, O. W. Telfair, and other free white male citizens of the town of Washington, are hereby authorized to form and enroll themselves into a Fire Engine Company, to be styled the "Neptune Fire Company:" *Provided*, the number of members shall not exceed forty.

SEC. 2. *And be it further enacted, by the authority of the same,* That the Commissioners of the town of Washington are hereby authorized to place under the direction of the said Company, one or more of the Fire Engines belonging to said town, and the appurtenances thereunto belonging: *Provided however*, that nothing in this clause shall prevent the said Company from purchasing such engines and fixtures, as they may require or deem necessary for their use and benefit; in which case such engines and fixtures shall be exclusively under the direction of said Company.

SEC. 3 *And be it further enacted by authority of the same,* That in case the engine and appurtenances thereunto belonging, shall be furnished by the Commissioners of the said town, that it shall be the duty of the Captain of the said Company to cause to be taken care of and preserved in the House prepared for that purpose, the Engine and appurtenances thereunto belonging; and when any repairs thereof be deemed necessary by a majority of the officers of the said Company, the Captain shall cause the same to be done; the expenses for which repairs shall be paid by the Town Treasurer, or, for want thereof, by the

Commissioners of the said town, on the draft of the Captain of said Company; which draft, when paid; shall be considered good as sufficient vouchers in the settlement of the Town Taxes.

SEC. 4. *And be it further enacted by authority of the same,* That the members of the aforesaid Fire Company, while they continue to act as firemen, shall be exempt from the performance of military duty, except in cases of insurrection, or invasion, and from the performance of other engine duty.

SEC. 5. *And be it further enacted by authority of the same,* That a majority of the members of the said Company shall have power and authority to make such bye-laws, rules and regulations, for their government, as to them seem best, not inconsistent with the Constitution of the United States and of this State; that all fines and penalties incurred by virtue of this act, or by any of the said bye-laws, shall be recoverable before the police magistrate of the said town, or any justice of the peace for the county of Beaufort: *provided* the right of appeal shall be secured to either party, as it now exists in cases of judgments before a single justice.

SEC. 6. *And be it further enacted by authority of the same,* That all laws and clauses of laws, coming within the meaning and purview of this act, be, and the same are hereby repealed and made void.

[Ratified the 26th of January, 1843.]

CHAP XIII.

An Act to incorporate the Franklin Fire Company of Little Rockfish Town, in the County of Cumberland.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That Alonzo R. Ketchum, Roderick M'Rae and Daniel Patterson, be and are hereby appointed commissioners for the purpose hereinafter named.

SEC. 2. *Be it further enacted*, That as soon after the passage of this act as may be convenient, and within the space of six months therefrom, the said commissioners, or a majority of them, shall meet together and organize a company, to be denominated and styled "the Little Rockfish Franklin Fire Company;" which said company shall consist of not more than twenty members, whose association together, for the purposes of this act, shall be evidenced by subscribing their names as members of said company.

SEC. 3. *Be it further enacted*, That when there shall be as many as ten members, by subscription of their names, the said Company shall be deemed and taken to be a corporation: *Provided however*, that the remaining number allowed, may be made up, at any time; and if at any time any of the members should die or resign, his place may be filled by the survivors or by selecting from those who may be willing to become members.

SEC. 4. *Be it further enacted*, That said Company shall keep a record of its proceedings, and shall advertise at some conspicuous place in the town, when it may be organized, the fact of its organization; and immediately after such organization, it shall be the duty of said Company to provide and keep in readiness at all times for use, such hooks, ladders, buckets, hose and such other articles and implements as may be necessary and useful in the extinguishment of houses on fire; and it shall be the duty of said Company, whenever any house shall be on fire within the town of Little Rockfish, to apply themselves with all proper means to the extinguishment thereof.

SEC. 5. *Be it further enacted*, That for and in consideration of the services to be rendered by said company, the members thereof shall be exempt from service in Militia exercises.

SEC. 6. *Be it further enacted*, That said Company shall have power and authority, (a majority of the whole number of the members assenting thereto) to make all such bye-laws and regulations, [for] the operations and conduct of said company, and the members thereof, not inconsistent with the Constitution and laws of this State and the United States, as may seem to them advisable; and the same to repeal, annul and modify, as often as they may think proper.

[Ratified the 24th day of Jannary, A. D. 1843.]

CHAP. XIV.

An Act to incorporate the Grand Lodge of the State of North Carolina, of the Independent Order of Odd Fellows.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Officers, Wardens and Members, who are at present or in future may be, of the Grand Lodge of North Carolina, of the Independent Order of Odd Fellows, be, and they are hereby constituted and declared to be a body corporate, under the name and title of the "Grand Lodge of the State of North Carolina, of the Independent Order of Odd Fellows," and by such name and title they shall have succession and a common seal, and may sue and be sued, plead and be impleaded; acquire and transfer property, and pass all such bye-laws, rules and regulations, as shall not be inconsistent with the constitution and laws of this State, or of the United States.

SEC. 2. *And be it further enacted,* That the said Grand Lodge of the Independent Order of Odd Fellows, shall be located in the town of Wilmington, and that all other Lodges of the same order or title, which are or hereafter may be incorporated, shall be subordinate to and branches of said Grand State Lodge.

SEC. 3. *And be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified the 26th of January, 1843.]

CHAP. XV.

An Act to incorporate Cape Fear Lodge Number Two, of the Independent Order of Odd Fellows, in the town of Wilmington.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Officers, Wardens and Members, who at present, or in future may be, of Cape Fear Lodge, number two, of the Independent Order of Odd Fellows of the town of Wilmington aforesaid, are hereby constituted and declared to be a body corporate, under the name and title of Cape Fear Lodge Number Two, of the Independent Order of Odd Fellows, to be located in the town of Wilmington; and by such name shall have succession and a common seal; and may sue and be sued, implead and be impleaded, acquire and transfer property, and pass all such bye-laws and regulations, as shall not be inconsistent with the constitution of the State or of the United States.*

[Ratified the 26th of January, 1843.]

CHAP. XVI.

An Act to incorporate Columbus Lodge, number 102, Pittsborough, in Chatham County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Master, Wardens, and Members of the Columbus*

Lodge, number 102, Pittsborough, in Chatham county, and their successors, be, and they are hereby constituted a body politic and corporate, by the name of Columbus Lodge, number 102; and by that name shall have perpetual succession and a common seal; may sue and be sued, plead and be impleaded, acquire and transfer property, and pass all such bye-laws and regulations for their own government, as shall not be inconsistent with the Constitution and laws of the United States and of this State.

[Ratified the 21st day of January, 1843.]

CHAP. XVII.

An Act to amend an act, entitled an act to incorporate the Salem Manufacturing Company.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the stockholders in the Salem Manufacturing Company shall and may diminish the capital stock of said Company to the sum of twenty five thousand dollars, provided the owners of three-fourths of the capital stock now invested shall assent thereto; and the president and directors of said Company, upon the assent of the owners of three-fourths of the capital stock now invested, are hereby authorized to reduce the capital stock now taken to the sum of twenty five thousand dollars, by receiving the same in payment of debts *bona fide* due the company, or by purchasing the same at such prices as the contracting parties may agree upon; and all shares of stock so taken in payment of debts or so purchased by the Company, shall thereafter cease to be a part of the capital stock of said company.

SEC. 2. *Be it further enacted,* That nothing herein contained shall be so construed as to prevent the Salem Manufacturing company from hereafter extending their capital stock to its present lim-

it: *Provided*, that the owners of three fourths of the stock shall in general meeting deem the same advisable.

[Ratified the 23d day of January, A. D. 1843.]

CHAP. XVIII.

An Act to amend an act, passed at the session of the General Assembly in the year 1838-9, entitled "An Act to incorporate the Rocky Mount Manufacturing Company."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the Corporation intended to be created by the said recited act, shall go into operation whenever, and as soon as fifty thousand dollars shall be taken up or subscribed for, instead of one hundred thousand dollars, as prescribed in the second section of said act; and that a share of the stock of the said Company shall be one hundred dollars, instead of five hundred dollars, as therein also prescribed.

Sec. 2. *Be it further enacted*, That when the sum of fifty thousand dollars, instead of one hundred thousand dollars, shall be subscribed, a meeting of the stockholders shall be called, as prescribed in the fifth section of the said act; and that upon the subscription of fifty thousand dollars of stock, and not before, the said stockholders shall be vested with the corporate powers and privileges in the said act granted.

SEC. 3. *Be it further enacted*, That the debts of said corporation, over and above its assets, shall at no one time exceed half of the amount of the capital stock actually paid; and that the President of said company shall, on the first day of January and July, in each year, furnish each stockholder with a list of the assets and liabilities of the corporation; and that a failure to comply shall operate as a forfeiture

of the corporate privileges hereby granted; and that this act shall be in force from and after its ratification.

[Ratified the 10th day of January, A. D. 1843.]

CHAP. XIX.

An Act to incorporate the "Independent Iredell Blues," of the county of Iredell.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the company of Light Infantry in the town of Statesville, Iredell county, commanded by John A. Young, be, and they are hereby incorporated, by the name and style of the "Independent Iredell Blues;" and shall have full power and authority to make and enter into such bye-laws, not inconsistent with the Constitution and laws of this State, or of the United States, as they may deem necessary for the proper regulation of said Company.

SEC. 2. *Be it further enacted,* That the Captain or commanding officers shall have power to call out the said company for drill at least six times in each and every year; and any officer, musician, or private in said company, who shall have regularly mustered, and kept himself well equipped according to the constitution and bye laws of the Company for the full term of twelve years, shall be thereafter exempt from military duty, except in cases of invasion or insurrection: *Provided,* the number of said Company shall never be less than that required by law.

SEC. 3. *Be it further enacted*, That if the said company shall hereafter procure a canon, properly mounted, they shall be entitled to all the privileges of the Artillery, or shall hereafter think proper to change their character from Light Infantry to Riflemen, they have full power to do so, and shall thereafter be entitled to all the privileges of Riflemen.

SEC. 4. *Be it further enacted*, That all the fines and amercements which shall be collected by said company, shall enure to the benefit of the same.

SEC. 5. *And be it further enacted*, That this act shall be in force from and after the ratification thereof.

[Ratified the 12th of December, A. D. 1842.]

CHAP. XX.

An Act to incorporate the Fayetteville Riflemen, of the County of Cumberland.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the Company of Riflemen, in the town of Fayetteville, Cumberland county, commanded by William H. Bayne, be, and they are hereby incorporated by the name and style of the Fayetteville Riflemen; and shall have full power and authority to make and enter into such by-laws, not inconsistent with the constitution and laws of this State, or of the United States, as they may deem necessary for the proper regulation of said Company.

SEC. 2. *Be it further enacted*, That all fines and amercements, which shall be collected by said company, shall enure to the benefit of the same.

SEC. 3. *Be it further enacted*, That the commanding officer of said company shall have power to call out the same eight times in each and every year; and any officer, musician, or private of said company, who shall have regularly mustered and kept himself well equipped according to the bye laws of said company for the full term of twelve years, shall thereafter be exempt from military duty, except in cases of insurrection or invasion: *Provided*, said company shall always consist of at least forty-four privates.

SEC. 4. *And be it further enacted*, That this act shall be in force from and after the ratification thereof.

[Ratified the 9th day of January, A. D. 1843]

CHAP. XXI.

An Act to incorporate the Albemarle Blues, in the County of Pasquotank.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the Company of Infantry of the line, in the town of Elizabeth City, Pasquotank county, commanded by John C. B. Eringhaus, be, and they are hereby incorporated by the name and style of the Albemarle Blues; and shall have full power and authority to make such bye-laws and adopt such constitution, not inconsistent with the constitution and laws of this State and the United States, as they shall deem necessary for the proper regulation of the said company.

SEC. 2. *Be it further enacted*, That the Captain or other commanding officer of said company, shall at least six times in each and every year, order out said company, in the town of Elizabeth City, for parade or drill; and that all fines and amercements collected by said company, for a breach of their constitution or bye-

laws shall enure to the use of the said company.

SEC. 3. *And be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 3rd day of December, 1842.]

CHAP. XXII.

An Act to incorporate the New Hanover Rifle Corps.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the New Hanover Rifle Corps, in the town of Wilmington, be, and the same is hereby incorporated, by the name and style of the "New Hanover Rifle Corps;" and shall have authority to make such rules, regulations and bye-laws, as they may deem fit, not inconsistent with the Constitution and laws of this State or of the United States.

SEC. 2. *Be it further enacted by the authority aforesaid*, That all fines, penalties and forfeitures, incurred by a violation of the rules, regulations or bye-laws of said corps, shall enure to the use of said corps.

SEC. 3. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 12th of December, 1842.]

CHAP. XXIII.

An act to incorporate the Alfordsville Cavalry or Dragoons, in the County of Robeson.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the company of Cavalry or Dragoons, in the county of Robeson, commanded by Captain John Alford, be, and the same is hereby incorporated and made a body politic and corporate, by the name and style of the Alfordsville Cavalry or Dragoons; and by that name shall have succession, and be able and capable, in law, to sue and be sued; plead and be impleaded, in any court in this State; and shall have power to make bye-laws, rules and regulations, for the government of said company, not inconsistent with the laws and Constitution of this State; and all fines, penalties and forfeitures, incurred in pursuance of such bye laws, shall be recovered in this State, and appropriated to the use and benefit of said company, for military purposes.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. XXIV.

An Act to incorporate the Liberty Guards, in the County of Davidson.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Company of Riflemen attached to the Eighty-

Eighth Regiment of North Carolina Militia, in Davidson county, commanded by Walter P. Richards, be, and they are hereby incorporated, by the name and style of the Liberty Guards; and shall have full power and authority to make and enter into such bye-laws, not inconsistent with the constitution and laws of this State or of the United States, as they may deem necessary for the proper regulation of said company.

SEC. 2. *Be it further enacted*, That all fines and amercements which shall be collected by the said company, shall enure to the use of the said company.

SEC. 3. *Be it further enacted*, That any officer, musician or private, in said company, who shall have regularly mustered and kept himself equipped, according to the bye-laws of the company, for the full term of twelve years, shall be thereafter exempt from military duty, except in cases of insurrection or invasion.

[Ratified the 20th of December, A. D. 1842.]

CHAP XXV.

An Act to incorporate a Company of Cavalry, in the County of Wake.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the Troopers of Cavalry, in the county of Wake, commanded by Albert B. Stith, is hereby incorporated, by the name of Wake Cavalry; and by that name and style shall have power to adopt such bye-laws, rules and regulations, for the government of the same, as a majority may deem proper, not inconsistent with the laws and constitution of this State; and all fines, penalties and forfeitures, incurred under such bye-laws, shall be recovered in the same manner as Militia fines are now recovered in this State; and when so recovered,

shall be applied to the use and benefit of said troop of Cavalry, for Military purposes; and that this act shall be in force from and after its ratification.

[Ratified the 25th day of January, A. D. 1843.]

CHAP. XXVI.

An Act to amend an act, passed at the last session of the General Assembly, entitled "an act to authorize the making of a Turnpike Road from Gatesville to the Chowan River, and to incorporate a company for that purpose."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the time of the meeting of the company incorporated by said act, shall be extended to the first Monday in February, one thousand eight hundred and forty-three.

SEC. 2. *Be it further enacted,* That the road authorized by the third section of said act to be made from the opposite side of the Chowan River to the Highlands, in Hertford county, is hereby authorized to be made from the said opposite side of the Chowan River to the Tar Landing road, in Hertford county, near the residence of Francis Evans.

SEC. 3. *Be it further enacted;* That at the Ferry authorized, by the third section of the said act, to be established across the Chowan River, the following shall be the rate of tolls, viz: on every four wheel carriage of pleasure, not more than seventy five cents; on every gig and sulky, not more than thirty-seven and a half cents; on every Jersey or Pedlar's wagon, not more than fifty cents; on every wagon with four horses, not more than fifty cents; on every wagon with two horses, not more than thirty-seven and a half cents; on each horse or mule, not more than six and a quarter cents; on each

head of cattle, hogs or sheep, not more than two cents; on travellers on horseback, not more than twelve and a half cents.

SEC. 4. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 23rd of January, 1843.]

CHAP. XXVII.

An Act to amend an act, passed by the General Assembly at the session of 1838-9, chapter 18th, entitled "an act to incorporate the Hiwassee Turnpike Company."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina*, [and it is hereby enacted by the authority of the same, That the seventh section of the said act be, and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That the said company have power to erect gates; and that the following toll, and no other, shall be the legal toll upon said roads, that is to say, for man and horse, ten cents; for loose horses or mules, five cents; for cattle, two cents; for sheep and hogs, one cent each; for five or six horse or ox wagon, eighty cents; for four horse or ox wagon, seventy-five cents; three horse or ox wagon, sixty-two and a half cents; two horse or ox wagon, fifty cents; one horse wagon, twenty-five cents; four wheeled carriages of pleasure, one dollar; for gig, sulky or cart, thirty-seven and a half cents.

SEC. 3. *Be it further enacted*, That all the hands subject to work on public roads, and living within two miles on either side of said Turnpike Road, shall be subject to work four days in each and every year; *provided*, they are not compelled to work more than two days

at any one time, under the direction of the company upon said road, for the purpose of keeping the same in good repair, and shall be exempt from working on any other road in said county: *Provided*, that nothing herein contained shall be so construed as to subject the citizens of Cherokee county to the payment of any of the tolls aforesaid.

SEC. 4. *And be it further enacted*, That all laws and clauses of laws, coming within the meaning of this act, are hereby repealed.

[Ratified the 24th of December, A. D. 1842.]

CHAP. XXVIII.

An Act to incorporate the town of Weldon, in the County of Halifax, and for the regulation thereof.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the inhabitants of the town of Weldon, in the county of Halifax, be, and they are hereby declared a body corporate; that polls shall be opened in the town of Weldon, under the direction of the Sheriff of Halifax county, and two Inspectors appointed by him, on the first Monday in February next, and annually thereafter on the same day, under the inspection and control of such persons as may be designated under the subsequent provisions of this act, for the purpose of choosing five persons to act as a Board of Commissioner in and for said town, for the term of one year and after, until others duly chosen and qualified have entered upon the duties of their office: *Provided, however*, that no one shall be eligible, as Commissioners, who has not resided during the twelve months preceeding within the limits of said town, and is an actual resident at the time of such election.

SEC. 2. *Be it further enacted*, That every resident of said town, qualified to vote for members of the House of Commons, shall be entitled to vote for such Commissioners, and the election shall be conducted as elections now are for the choice of members of the General Assembly.

SEC. 3. *Be it further enacted*, That the Commissioners thus elected, being notified by the Inspectors, shall, before entering on the duties of their office, take an oath before some Justice of the Peace for the county aforesaid, to perform faithfully and impartially the duties of their office, to the best of their ability; and any one refusing to take such oath for the space of one month after the election, having been notified thereof ten days, unless he shall remove out of the limits of said town or be otherwise incapable to serve, shall be liable to pay the sum of twenty dollars, to the use of said town; for which forfeiture the State's Attorney for the county aforesaid is hereby required to bring suit, in the name of the Board of Commissioners aforesaid, in the County Court of Halifax county.

SEC. 4. *Be it further enacted*, That said commissioners be constituted a body corporate, under the name and style of the Board of Commissioners for the town of Weldon; and as such, shall have a common seal; may sue and be sued; may purchase, hold and convey property of any kind; shall have power to alter, extend and establish boundaries to said town, giving, immediately thereafter, twenty days' public notice of any change made; may remove nuisances, erect bridges, provide against fire and disease; and make all other bye-laws and regulations for the good government and well ordering of said town, not inconsistent with the Constitution and laws of this State.

SEC. 5. *Be it further enacted*, That the Board aforesaid shall appoint a Town Treasurer, who shall give a bond, with sufficient security, conditioned for the faithful keeping and paying over of all such sums as may come into his hands. It shall be his duty to receive all moneys belonging to the town, and pay the same out by order of the Board. At the end of the year, he shall publish a statement of his accounts in some public place in the town; and for such service, he shall be entitled to a commission, to be allowed by the Board.

SEC. 6. *Be it further enacted*, That the Board shall appoint a Town Constable, who shall also give a bond, to be adjudged of by

the Board, payable to them as such, and conditioned for the faithful discharge of his duties. It shall be his duty to serve notices, to hold elections, to collect all taxes levied by the Commissioners, by virtue of this act, and pay over the same to the Treasurer; and shall moreover be subject to such regulations as the Board may enact, as authorized under this act; and for all such services, shall receive such fees as may be allowed by the said Board.

SEC. 7. *Be it further enacted*, That the said Board shall appoint an overseer of the streets, whose duty it shall be to keep them in good and sufficient repair; and to this end, he shall be empowered to require the services of all persons residing in the said town, now liable, by law, to work on roads, as often as shall be necessary; and, in all other respects, shall possess the powers and be liable to the penalties to which overseers of roads in said county are now subjected.

SEC. 8. *Be it further enacted*, That the said Board shall appoint a sufficient patrol, to be composed of white male persons, between the ages of eighteen and forty-five years, who shall, immediately after being notified of their appointment, commence the discharge of their duties; and they shall observe such regulations as the Board may prescribe for their conduct; and at the end of the year, shall receive, for the faithful performance of their duties, such compensation as may then be allowed, or shall have been previously established by said Board.

SEC. 9. *Be it further enacted*, That to attain the purposes of this act, the Board of Commissioners shall have power annually, when they deem it necessary, to lay a tax on all the persons and property within the limits of said town now liable to taxation for county purposes: *Provided*, that said tax shall in no one year, exceed one dollar on the poll, and fifty cents on each hundred dollars valuation of real estate; and *provided further*, that said Board may lay such tax as soon after the passage of this act as they may think proper.

SEC. 10. *Be it further enacted*, That for the purpose of such taxation, the said Board shall have power to affix a valuation of the real estate within said town, or to order the same to be done by Commissioners to be elected by the qualified voters in said town, said Commissioners being first sworn by some Justice of the Peace for said county, faithfully and impartially to discharge their duty; and the valuation of the real estate possessed by the valuing Commissioners

shall be made by any three Justices of the Peace of the county of Halifax, residing out of said Town.

SEC. 11. *Be it further enacted*, That it shall be the duty of each person residing or holding property in said town, to deliver to the Board annually, whenever required a statement on oath of all the property owned or possessed by such person, liable to be taxed; and for failure to do so, when required by the Board, within one month, shall pay double taxes on all property not given in as above, unless on sufficient excuse shown, to be adjudged of by the Board; and all taxes not paid shall be recovered by warrant before any Justice of the peace for the county, for the use of said town.

SEC. 12. *Be it further enacted*, That all appointments made by the Board shall be for one year; and that if any person appointed pursuant to this act, unless excused by the Board, shall refuse or neglect to serve, such person shall be liable to pay twenty dollars, to the use of the town; and the Board are hereby authorized and directed to bring a warrant for the same before any acting Justice of the Peace for said county.

SEC. 13 *Be it further enacted*, That the Board, or acting members or member thereof, may order special elections to fill vacancies in their body; and may call together the citizens of said town when necessary; to whom all questions affecting the welfare of said town may be submitted, resignations of the Commissioners may be tendered, and by whom all and any suggestions and directions touching the welfare of said town may be made and given; at which meetings the eldest Commissioner shall preside. The Commissioners shall also appoint Inspectors to conduct the annual and special elections in connection with the town Constable.

SEC. 14. *Be it further enacted*, That if from any cause a majority of the qualified voters of said town shall not vote at the first election, herein authorized to be held for the choice of Commissioners, or that more than two full years shall at any time hereafter pass without any election being held, or that the Commissioners shall neglect or refuse to act, then in either such event, the County Court of the county of Halifax, shall be invested with such powers and be authorized to make orders and appointments over and relating to said town, as said court now may over other parts of said county: *Provided*, the Sher-

iff of said county of Halifax shall be the judge whether a majority of the qualified voters have failed to vote as above required, and shall make proclamation thereof, immediately upon such fact being ascertained, at the same place and time when such election may be held.

SEC. 15. *Be it further enacted*, That this act shall have force and go into effect from and after its ratification.

[Ratified the 6th of January, A. D. 1843.]

CHAP. XXIX.

An Act to revive an act, passed in the year seventeen hundred and seventy nine, entitled "an act to lay off and establish a town near Chatham Court House, on the plantation and land formerly the property of Ambrose Edwards, now entered in the land office by Ambrose George, in said county".

Whereas by length of time, neglect, and the removal and death of some of said Commissioners named in the before recited act, the said act has become obsolete and ceased to have effect:

SEC. 1. *Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the before recited act be, and the same shall hereby stand revived; and that William J. Horne, Nathan A. Stedman, Oliver L. Burch, John A. Hanks, Joseph Ramsey and Isaac B. Hall, be, and they are hereby appointed Commissioners for said town, who shall have and possess the same powers and authori-

ties as contained in the before recited act.

SEC. 2. *Be it further enacted*, That at any time hereafter, upon the death, removal or resignation of any one or more of said Commissioners, that it shall be lawful for such vacancy to be filled by the surviving or remaining Commissioners; and the Commissioner or Commissioners so appointed, shall have and possess the same powers and authorities as are usually exercised by Commissioners for other incorporated towns in this State.

[Read three times and ratified in General Assembly, this the 26th day of January, A. D. 1843.]

CHAP. XXX.

An Act to incorporate Elizabethtown, in Bladen County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That Dr. Alexander McDowell, John McKethan, Esq. Capt. James Chila, Dr. Himan H. Robinson and David Lewis Esquire, and their successors, be, and they are hereby appointed Commissioners for the town of Elizabethtown, in the county of Bladen, and they are hereby constituted a body politic and corporate, by the name and style of the Commissioners of Elizabethtown, and by such name they shall be invested with a succession and a common seal, and shall have full power to hold and convey real and personal property, to sue and be sued, and to pass and ordain such bye-laws and ordinances, not inconsistent with the constitution and laws of the United States or of this State, as from time to time they may deem expedient and advisable, for the good government of said town.

SEC. 2. *Be it further enacted*, That a majority of said Commissioners shall have full power to act as a quorum, to fill vacancies in their body, occasioned by death, resignation, removal or refusal to act, and to appoint a magistrate of Police, who shall be an acting Justice of the Peace of the said county, and such other officers as may be thought necessary to carry into effect the provisions of this act.

SEC. 3. *Be it further enacted*, That the said Commissioners shall have full power and authority to lay and collect annually a tax, not exceeding twenty-five cents on every hundred dollars valuation of real estate in said town, and twenty-five cents on every taxable poll, as shall be deemed necessary for keeping the streets of the said town in good repair, and for such other purposes as the said Commissioners shall think proper and requisite.

SEC. 4. *And be it further enacted*, That this act shall be in force from and after the ratification thereof.

[Ratified the 25th day of January, A. D. 1843.]

CHAP. XXXI.

An Act to incorporate Browntown, in Davidson County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That Alfred M. Folger, Austin Rosser, Absalom Brown, Ezekiel Hedgecock and William Shulds, and their successors, be, and they are hereby appointed Commissioners for Browntown in the

county of Davidson, with full power and authority to adopt such rules and regulations, and to enact such bye laws, as they may deem necessary for the order and government of said town, not inconsistent with the laws of this State or of the United States.

Sec. 2. *Be it further enacted*, That upon the death, resignation or inability to act, of any of the aforesaid Commissioners, the remainder shall have full power and authority to appoint his successor, who shall be possessed of all power granted by this act to his predecessor.

Sec. 3. *Be it further enacted*, That the corporate limits of said town are hereby declared one quarter mile in each and every direction from the point called the cross roads; which shall be the centre of the chartered limits of said corporation.

[Ratified the 26th of January, 1843.]

CHAP. XXXII.

An Act to incorporate the Town of Franklinton, in the County of Franklin.

Sec. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That it shall be the duty of the Sheriff of the county of Franklin, either by himself or his lawful deputy, on the first Monday in March, in each and every year, at the public Ware-House, in the town of Franklinton, in said county, to open polls for the election

of five Commissioners, in and for the said town of Franklinton, to continue in office for the term of one year thereafter.

SEC. 2. *Be it further enacted*, That any citizen of said county who has resided therein for one year, and is at the time of his election possessed of a freehold in the said town, shall be eligible as Commissioner; and every inhabitant of the said town, who has resided nine months therein, and who is qualified according to the constitution, to vote for members of the House of Commons, shall be entitled to vote in said election; and such election shall be conducted and regulated in the same manner, by ballot, as elections for members of Assembly; and in the event of a tie, the Sheriff or his lawful deputy aforesaid, shall give the casting vote.

SEC. 3. *Be it further enacted*, That the said Commissioners, after their election, and before entering on the duties of their office, shall take an oath before some Justice of the Peace of the county aforesaid, faithfully and impartially to perform said duties; and thereupon, they shall be constituted a body politic and corporate, by the name and style of Commissioners of Franklinton.

SEC. 4. *Be it further enacted*, That the said Commissioners shall possess full power and authority to appoint a Magistrate of Police and a Town Treasurer and Constable, and to lay and collect a tax on the property and inhabitants of said town, not exceeding twenty-five cents on the poll, and ten cents on every hundred dollars value of town property per annum; to establish patrols, and to enact and adopt all such bye-laws, rules and regulations as they or a majority of them may deem necessary for the good order and government of said town: *Provided*, the same be not inconsistent with the constitution and Laws of the State or of the United States.

SEC. 5. *Be it further enacted*, That the Town Constable aforesaid, shall be the collector of the town tax, under the direction of said Commissioners; and for that purpose, shall have all the powers and immunities of Sheriffs in the collection of public revenue; and said taxes, when collected, shall be applied to the improvement and repair of the streets of said town, and if there be a residue, to such other objects as said Commissioners or a majority of them may deem necessary to its prosperity and advancement.

SEC. 6. *Be it further enacted*, That the corporate limits of said town are hereby declared as follows; beginning at Godwin's Corner on the Race Track, thence up said Race Track to the Road; thence up said Road to the Hillsborough Road, and crossing the said Road, running Shemuel Kearney's Fence to the Branch; thence down said Branch crossing the Raleigh and Gaston Rail Road, to the Tan-yard Branch; thence north east to Archibald Yarbrough's line; thence along said Yarbrough's line to the Louisville Road; thence down Chavices Road to Mary Richard's line; thence along said line to the Rail Road; thence to the beginning.

SEC. 7. *And be it further enacted*, That this act shall take effect and be in force from and after its ratification.

[Ratified the 20th day of December, A. D. 1842.]

CHAP. XXXIII.

An Act to incorporate the town of Shelby, in the County of Cleveland, and appoint Commissioners thereof.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That Richard Champion, A. R. Homesly, Dr. Thomas Williams, Thomas Cooper, and Dr. W. W. Morris, be, and they are hereby incorporated into a body politic and corporate, by the name of the Board of Commissioners for the town of Shelby; and by such name shall have succession and a common seal; and shall be invested with power to sue and be sued, and to pass such bye-laws and ordinances, not inconsistent with the constitution of the United States or of this State, as they or a majority of them shall think advisable for the good government of said town.

SEC. 2. *Be it further enacted*, That said Board of Commissioners shall have power to fill vacancies in their body, occasioned by death, removal, or refusal to act, and to appoint a magistrate of Police, a Town Constable and Treasurer; and the Constable so appointed shall collect all taxes, fines and forfeitures, arising by virtue of this act, by warrant, before any Justice of the Peace for said county, and shall receive for his services the fees which by law the Constables of this State have a right to collect.

SEC. 3. *Be it further enacted*, That the Commissioners aforesaid, are hereby authorized and empowered to lay and collect annually, a tax on the property and inhabitants of said town not exceeding twenty cents on each hundred dollars valuation of real estate in said town, and ten cents on every taxable poll, as they shall deem necessary, for the repairs of the streets and for the good of the corporation.

SEC. 4. *And be it further enacted*, That the corporate limits of said town, are hereby declared to be one quarter of a mile in each and every direction from the Court House.

[Ratified the 25th day of January, A. D. 1843.]

CHAP. XXXIV

An Act to alter the time of collecting the Corporation taxes in the town of Washington.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That it shall be lawful hereafter for the Commissioners of the town of Washington, in the county of Beaufort, to order and require the taxes which may be laid by them for the internal police of the

said town to be collected the same year in which the taxables and taxable property of said town are listed, in the manner and under the penalties now provided by law, for collecting the corporation taxes of said town, any law, usage, or custom to the contrary notwithstanding. And the collecting officer shall be notified of said order in due and sufficient time to allow of such collection.

SEC. 2. *Be it further enacted*, That all laws and clauses of laws coming in conflict with the provisions of this act, be, and they are hereby repealed.

[Ratified the 25th of January, 1843.]

CHAP. XXXV.

An Act to establish and incorporate a town at Onslow Court House, in the County of Onslow, by the name of Jacksonville.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That a town is hereby established at Onslow Court House, in the county of Onslow, by the name of Jacksonville.

SEC. 2. *Be it further enacted*, That the government of said town, shall be vested in the following persons as Commissioners, viz: Buckner House, George J. Ward, Franklin S. Humphrey, and Owen Huggins; and said Commissioners and their successors in office, appointed agreeably to the directions of this bill, shall be, and they are hereby incorporated into a body politic, by the name of the Commissioners of the town of Jacksonville; and by such name, shall have succession and a common seal, sue and be sued; and by such name shall have power from time to time, and at all times hereafter to adopt such rules and regulations and pass such bye-laws and ordinances as they, or a majority of them may think necessary or expedient for the good government of said town.

SEC. 3. *Be it further enacted*, That if at any time hereafter, any of the persons appointed Commissioners by this bill, shall refuse to act, or shall die, or remove themselves away, the remaining Commissioners, being duly qualified, shall fill up such vacancy, by electing or appointing some other fit person; which Commissioner so elected or appointed, shall have and possess the same power, and be under the same restrictions with those in whose stead they were appointed.

SEC. 4. *Be it further enacted*, That the jurisdiction and authority of said Commissioners shall extend over all the lots, or parcels of land that have heretofore been laid off in lots, or that may hereafter be acquired from the proprietors of the lands annexed to said town.

[Ratified the 13th of December, 1842.]

CHAP. XXXVI.

An Act to incorporate the "Albemarle Swamp Land Company."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That Mills Riddick, Richard H. Riddick, Dr. William S. Riddick, Thomas G. Benton, and William B. Whitehead, and such other persons as may be associated with them, be, and they are hereby created a body politic and corporate by the name and style of the "Albemarle Swamp Land Company;" and by that name and style, may sue and be sued, acquire, hold, possess and transfer, real and personal estate; may contract and be contracted with, plead and be impleaded, in all the courts in this State, and before any legal authority in this State; have a common seal, with power to alter, break or renew the same; have succession, and so continue for the space of fifty years.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be fifty thousand Dollars, to be divided into shares of

one hundred dollars each; and the said Company shall have power to increase their capital stock to two hundred thousand dollars.

SEC. 3. *Be it further enacted*, That the said corporation shall have power to operate in the counties of Beaufort and Washington, for the purpose of getting, dealing in and selling lumber, milling and trading and canalling, draining and improving Swamp and other lands.

SEC. 4. *Be it further enacted*, That the said corporation shall have power to make and establish such bye-laws, rules and regulations, as may be necessary and proper for its own government, the same being not inconsistent with the constitution and laws of this State.

SEC. 5. *Be it further enacted*, That annual meetings of the Stockholders, in person or by proxy, shall be holden at such times and places as they may think proper; at which annual meetings a Board of Directors shall be elected, to consist of five stockholders, one of whom shall be chosen President; and the said President and Directors shall have power to supply any vacancy that may occur in their body, and shall hold their office for one year, or until their successors be appointed; shall appoint a Clerk and other officers; and that all the officers of said corporation may be required to execute bonds with sufficient security, for the faithful discharge of all the duties that may be imposed on them by said company.

SEC. 6. *Be it further enacted*, That the stock of said company shall be deemed and held as personal property, and shall pass as such to the representatives of the stockholders, and may be transferred and certificates issued in such manner and form as the Board of Directors shall from time to time direct.

SEC. 7. *Be it further enacted*, That it shall be the duty of the said corporation, to keep a full and fair record of their proceedings, in a book or books, to be provided for that purpose, and shall produce said record in any Court of Justice when required by such Court.

SEC. 8. *Be it further enacted*, That the Board of Directors shall have full power to appoint a President *pro-tempore*, should the President be absent from any cause; and to call a general meeting of the Stockholders when it may be deemed necessary.

SEC. 9. *Be it further enacted*, That the said Company shall have full

power at any time to close its operations and surrender up its corporate privileges; in which case all the estate both real and personal shall be vested in the holders of the stock, and be divided accordingly; and the said company shall have power to hold their meetings either within or without the State of North Carolina.

SEC. 10. *Be it further enacted*, That the private property of the stockholders shall be bound for the debts of the company, to the amount of the stock subscribed or held.

SEC. 11. *And be it further enacted*, That the lands now owned by the said company, as well as any other that they may hereafter acquire, shall be subject to the payment of taxes and all other public demands, charges and incumbrances, in the same manner and to the same extent as other real estate held by citizens of this State.

[Ratified the 25th of January, 1843.]

COURTS, JURIES, &c.

CHAP. XXXVII.

An Act to grant an additional Court of Pleas and Quarter Sessions to the county of Cleaveland.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That* there shall be a term of the Court of Pleas and Quarter Sessions, opened and held for the county of Cleaveland, at the Court House in Shelby, on the sixth Monday after the fourth Monday of September, in each and every year, which Court shall have the same jurisdiction that the Courts of Pleas and Quarter Sessions in this State now have.

SEC. 2. *Be it further enacted, That* this act shall be [in force from and after its ratification.

[Ratified the 23rd day of January, A. D. 1843.]

CHAP. XXXVIII.

An Act to repeal so much of an act entitled "an act concerning the Courts of Pleas and Quarter Sessions, of Moore and Sampson Counties," as relates to the County of Sampson.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That* so much of an act, entitled "an act concerning the Courts of Pleas and Quarter Sessions of Moore and Sampson counties," as relates to the county of Sampson, be, and the same is hereby repealed.

[Ratified the 13th day of December, A. D. 1842.]

CHAP. XXXIX.

An Act for the better regulation of the County Courts of Moore.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That* the Court of Pleas and Quarter Sessions, for the county of Moore, (a majority of the acting Justices being present,) are authorized and empowered to direct a jury to be drawn to attend at each and every term of said court, under the same rules and regulations, as are now provided by law, for drawing Jurors to attend the other County Courts in this State, any law to the contrary notwithstanding: *Provided*, that nothing in this act contained shall be so construed as to prevent a majority of the Justices of said Court to dispense with the Jury, at two of the terms of said court.

[Ratified the 25th of January, 1843.]

CHAP. XL.

An Act to change the location of the Court House, of the County of Montgomery, and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That* the location of the Court House of the county of Montgomery, be removed from the town of Lawrenceville, and shall be fixed and established by seven Commissioners, to be appointed as hereinafter directed.

SEC. 2. *Be it further enacted*, That on Thursday the twentieth day of April, Anno Domini, one thousand eight hundred and forty-three, an election shall be held at the precincts at which elections are usually held for members to the General Assembly, for seven Commissioners, to be selected, one from each Captain's District in said county; at which elections all persons qualified to vote for members of the House of Commons, shall be entitled to vote; and it shall be the duty of the Sheriff of said county, to appoint two freeholders and a Justice of the Peace, to conduct the election at each of the said election precincts, who shall be sworn by the Sheriff or some Justice of the Peace, to conduct said elections fairly and according to the mode prescribed for conducting elections in this State; and the said conductors of the elections shall report the results to the Sheriff in the town of Lawrenceville, on the day after said election, to be by him compared in their presence, and the seven having the highest number of votes shall be notified by him of their election as Commissioners within ten days thereafter.

SEC. 3. *Be it further enacted*, That the Commissioners elected as aforesaid, shall, within two months from the date of their election, proceed to ascertain by actual survey the centre of said County, and to procure by donation or purchase, not less than fifty acres of land, including the centre so ascertained, or within three miles thereof, and having first set apart so much as they may deem sufficient for public ground, to lay out the remainder in lots of convenient size, and numbered; and two fair plots thereof shall be made and deposited, one in each of the offices of the Clerks of the County; and the lots so laid out, after advertisement of thirty days, shall be by them sold on a credit of one and two years, or so many thereof as they may judge most expedient.

SEC. 4. *Be it further enacted*, That the title to the land procured by the Commissioners as aforesaid, shall be made to the Chairman of the County Court of Montgomery, and his successors in office; and the lots when sold, and the purchase money paid therefor, shall be conveyed by the said Chairman or his successors in office; and the moneys arising from the sale of said lots, shall go into the county funds to be applied to county purposes.

SEC. 5. *Be it further enacted*, That the town so established, shall be called and known by the name of *Troy*.

SEC. 6. *Be it further enacted*, That it shall be the duty of the Commissioners aforesaid, after due advertisement, to let out upon contract, to the lowest bidder or bidders, the building of a good and sufficient Court House and Jail, upon the public ground reserved by them; the contractor or contractors giving bond with two or more sufficient securities in double the amount of the bid, for the faithful performance of the contract, which bond shall be made payable to the Chairman of the County Court, and his successors in office.

SEC. 7. *Be it further enacted*, That until the completion of, and acceptance by the Commissioners of the public buildings aforesaid, the courts of the county of Montgomery shall continue to be held in the Court House in Lawrenceville, and thereafter in the Court House, in the town of Troy, aforesaid; and it shall be the duty of the Commissioners aforesaid, to sell at public sale, on a credit of twelve months, all the public property in the town of Lawrenceville; the title to which, upon the payment of the purchase money, shall be made by the chairman of the County Court; and the proceeds of the sale thereof, shall be applied to county purposes.

SEC. 8. *Be it further enacted*, That the Clerks of the County and Superior Courts, and County Register, shall keep their respective offices in the town of Troy, from and after the holding of the first court at that place.

SEC. 9. *Be it further enacted*, That five of the Commissioners aforesaid, shall constitute a quorum for the performance of the duties assigned them by this act; and in case of death or disability of any of the said Commissioners, then it shall be the duty of the County Court of said county to supply the vacancy.

SEC. 10. *Be it further enacted*, That if the Sheriff of said county, or any Judge of the election, or any one of the said Commissioners, shall wilfully neglect to perform any of the duties prescribed by this act, he shall be held guilty of a misdemeanor, and upon conviction of the same in either of the courts of the county, shall be fined not less than two hundred, nor more than five hundred dollars.

SEC. 11. *Be it further enacted*, That any law coming in conflict with the provisions of this act, be, and the same is hereby repealed, and that this act be in force from and after the ratification thereof.

[Ratified the 13th of January, 1843.]

CHAP. XLI.

An Act to amend the second section of an act passed in eighteen hundred and thirty-five and six; entitled "an act directing the time of holding the Court of Pleas and Quarter Sessions in the County of Mecklenburg."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Justices of the Peace of said county, shall have power and authority to cause Jurors to be summoned, to serve at the January and July terms of said Court, or to dispense with the same as the necessity of the case may require; any law or usage to the contrary notwithstanding.

[Ratified the 15th of December, 1842.]

CHAP. XLII.

An Act to compel the Justices of New Hanover County, to levy the County and Poor Taxes, at the first Court held after the first day of January, in each and every year and other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That hereafter it shall be the duty of the Justices of New Hanover County, a majority of the Justices being present, to levy the County and Poor Taxes by law required, at the first Court of Pleas and Quarter Sessions, which shall be held after the first day of January, one

thousand eight hundred and forty-three, and annually thereafter.

SEC. 2. *Be it further enacted*, That the Inspectors of Naval Stores, Lumber and Timber, shall be elected at the term of the court aforesaid, in the year one thousand eight hundred and forty-four, and every two years thereafter, under the same rules, regulations and restrictions, as is now directed by law.

SEC. 3. *Be it further enacted*, That all laws coming within the meaning and purview of this act, be, and the same are hereby repealed.

[Ratified the 15th day of December, A. D. 1842.]

CHAP. XLIII.

An Act to alter the time of holding the Court of Pleas and Quarter Sessions for the County of Moore.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina; and it is hereby enacted by the authority of the same*, That the terms of the Court of Pleas and Quarter Sessions for the county of Moore, shall hereafter be opened and held on the fourth Monday in January, April, July and October, in each and every year; any law to the contrary notwithstanding: *Provided*, that nothing herein contained, shall be so construed, as to affect the time and manner of holding the next term of said Court.

SEC. 2. *Be it further enacted*, That the Justices of said Court, are authorized and required to draw Jurors to attend at the January and July terms of said court, in each and every year, under the same rules, regulations and restrictions, as are now prescribed by law: *Provided*, that the Justices of said Court are authorized, if they deem expedient, to draw Jurors at the next term, held on the third Monday in February, to attend at the next succeeding term of said court.

[Ratified the 13th day of December, 1842.]

CHAP. XLIV.

An Act to regulate the County Courts of Rowan and Iredell.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Justices of the counties of Rowan and Iredell, a majority of the acting Justices being present—shall be, and are hereby authorized, at the first County Court which shall happen on or after the first day of May, in each and every year, to lay the taxes for the purpose of paying the county charges, and for the maintenance of the poor of said counties; to appoint a Special Court, Committee of Finance, County Trustee, and each and every other county officer, whom a majority of the acting Justices are now required by law to appoint; and to transact all and singular, the business of the said counties which is now required to be performed by a majority of the acting Justices of the said counties, at the several County Courts in each and every year.

SEC. 2. *Be it further enacted,* That the taxes laid at May term, 1842, of Rowan County Court, by a majority of the acting Justices of said county, for the purpose of paying the county charges, and for the maintenance of the poor of said county, for the year eighteen hundred and forty-two, be, and they are hereby made legal and valid, as if the same had been laid at the first County Court, which happened after the first day of January, eighteen hundred and forty-two; and the Sheriff of said county of Rowan is hereby directed to proceed and collect the same as now required by law.

SEC. 3. *Be it further enacted,* That all acts, or clauses of acts inconsistent with, or repugnant to the provisions of this bill, be, and they are hereby repealed.

[Ratified the 13th of December, 1842.]

CHAP. XLV.

An Act to amend an act, entitled "an act to regulate the proceedings in the Court of Pleas and Quarter Sessions of Craven County," and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That so much of the second section of the above recited act as relates to the forming and organizing Grand Juries for the Court of Pleas and Quarter Sessions, and all of the third section thereof, be, and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That the Court of Pleas and Quarter Sessions of Craven county, shall be, and they are hereby empowered, in their discretion, to dispense with Grand Juries at any term or terms of the said Court; and in such cases, no persons to serve as Grand Jurors, shall be drawn at the term of said Court immediately preceeding that term at which the said court shall have determined so to dispense with a Grand Jury; any law to the contrary notwithstanding.

[Ratified the 26th of December, A. D. 1842.]

CHAP. XLVI.

An Act to increase the pay of Jurors for the County of Orange, and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That*

the several County Courts of the county of Orange, shall have full power of paying their Jurors a sum adequate to their services, which shall not exceed one dollar and fifty cents per day, nor be less than fifty cents per day; and that the said county shall allow their Jurors the sum of two dollars for every thirty miles travelling to and from said court; and that the said tax shall be laid and collected in the same manner that the tax for the payment of Jurors in this State is now laid and collected.

SEC. 2. *Be it further enacted*, That all laws and clauses of laws, which come within the meaning of this act, are, and the same are hereby repealed; and that this act shall be in full force and effect from and after its ratification.

[Ratified the 21st January, 1843]

CHAP. XLVII.

An Act to increase the compensation made to Witnesses attending the Courts of Orange County, and for other purposes-

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That each person who shall attend any Superior or County Court to be held for the county of Orange, as a witness in any cause therein depending, shall be allowed sixty cents, for each and every day's attendance, and the sum of one dollar, for every thirty miles he may travel going to, and returning from said court: *Provided*, said witness lives within the county, or the sum of one dollar for each day's attendance, and for every thirty miles travel in going to and returning from said court, if the said witness lives without the county: and *Provided, further*, that nothing herein contained, shall be so construed, as to authorize the fees of witnesses as herein permitted, unless both plaintiff and defendant reside in the county of Orange.

SEC. 2. *Be it further enacted*, That the provisions of this act shall extend only to witnesses attending the courts of Orange

county, and that all laws, and clauses of laws, coming within the meaning of this act, be, and the same are hereby repealed; and that this act shall be in force and effect from and after the rise of this General Assembly.

[Ratified the 17th day of January, A. D. 1843.]

CHAP. XLVIII.

An Act to restore Jury trial to the county Courts of Anson.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That an act passed in the year one thousand eight hundred and twenty-five, entitled an act, giving exclusive jurisdiction to the Superior Court of Anson, of Pleas and prosecution of the State; and also so much of an Act, passed in the year one thousand eight hundred and thirty five, as relates to the county of Anson, entitled an act to give exclusive jurisdiction to the Superior Courts for the counties of Anson and Montgomery, in all cases where the intervention of a Jury shall be necessary, be, and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That it shall be in the power of a majority of the acting Justices of the county of Anson, if they shall think it expedient, to dispense with the Grand Jury at any or all the terms of the Court of Pleas and Quarter Sessions for said county; and that not more than twenty-four Jurors shall be drawn for such term or terms, in which the Grand Jury shall be dispensed with.

[Ratified the 16th day of January, A. D. 1843.]

CHAP. XLIX.

An Act to authorize the County Court of Mecklenburg, to appoint Inspectors of the elections at the April term of said court.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Court of Pleas and Quarter Sessions for the county of Mecklenburg, at the April term of said Court, preceding every election to be holden on the first Thursday in August, in each and every year, shall appoint Inspectors to superintend the elections, under the same rules and regulations, that are now provided by law; any law or usage to the contrary notwithstanding.

[Ratified the 25th of January, 1843.]

CHAP. L.

An Act to authorize seven Justices of the Peace, for the County of Hyde, to allow county claims, and to appoint election precincts.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That seven Justices of the Peace, in and for the county of Hyde, shall be fully authorized and empowered to allow county claims for any purpose that said Justices may think proper, not incompatible with the present law regulating County Courts.

SEC. 2. *Be it further enacted,* That seven Justices as above

mentioned, shall be fully competent, and they are hereby authorized and empowered to lay off and appoint election precincts in said county.

SEC. 3. *Be it further enacted*, That this act shall extend only to the county of Hyde, and shall not interfere with any other county in any manner whatever.

SEC. 4. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 17th of January, 1843.]

FISHERIES.

CHAP. LI.

An Act concerning fishing with Seines in Beaufort County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That it shall not be lawful for any person or persons to fish with a seine or seines, in any Creek in Beaufort county, which empties into Tar or Pamlico River, or in any Bay, at the mouth of any of said Creeks, between sunset of Saturday evening, and sunrise of Monday morning, of any week in the year, under the penalty of one hundred dollars. Nor shall it be lawful for any person or persons to keep a seine or seines, tiled or staked out at night, in any of said Creeks or Bays, nor longer than three hours at any one time in the day, under the penalty of one hundred dollars, for each and every offence.

Nor shall it be lawful for any person or persons, fishing with a seine in any of said Creeks or Bays, to obstruct the passage of fish therein, by means of a hedge or hedges, under the penalty of one hundred dollars, for every day said hedge or hedges are kept in said Creek or bay.

Sec. 2. *Be it further enacted, by the authority aforesaid, That* the penalties above mentioned, shall be recovered with costs, by warrant, before any Justice of the Peace of the said county, by any person or persons suing for the same, and shall enure to the benefit of the persons or persons so suing.

SEC. 3. *Be it further enacted by the authority aforesaid, That* all laws and clauses of laws, heretofore enacted, which shall conflict with the provisions of this act, shall be, and the same is hereby repealed; and that this act shall be in force from and after the ratification thereof.

[Ratified the 21st of January, 1843.]

CHAP. LII.

An Act for the better regulation of the Fisheries on Salmon Creek, in Bertie County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That* each and every person whatsoever, owning or using a Seine for the purpose of catching fish in Salmon Creek, shall be compelled to take their seines out of the water, and let the same remain out from Saturday morning at sunrise, until Monday morning at sunrise, in each and every week, from the first day of March, until the first day of June, in each and every year.

SEC. 2. *And be it further enacted, That* any person who shall either directly or indirectly, violate any of the provisions of this act,

shall forfeit and pay for each and every offence, the sum of fifty dollars, to be recovered before a single Magistrate in any Court of Law having jurisdiction of the same; one half to the use of the informer, the other half to the use of the county: *Provided*, that whenever any person is convicted under the before recited act, the right of appeal shall be allowed as in other cases.

SEC. 3. *Be it further enacted*, That all laws and clauses of laws which come within the meaning and purview of this act, be, and the same are hereby repealed.

[Ratified the 17th day of January, A. D. 1843.]

MILITIA.

CHAP. LIII.

An Act to attach the S4th Regiment of North Carolina Militia to the 15th Brigade.

SEC 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the S4th Regiment of the North Carolina Militia shall be, and the same is hereafter attached to the 15th Brigade, under the same regulations and restrictions of other Militia of this State; any law to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 17th of January, 1843.]

CHAP. LIV.

An Act to number the Regiment of Militia on the west side of French Broad River, in Buncombe County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the Regiment of Militia on the West side of French Broad River, in Buncombe County, shall hereafter be known as the Ninety-seventh Regiment in the Nineteenth Brigade.

SEC. 2. *Be it further enacted,* That the above act shall be in force from and after its ratification.

[Ratified the 17th of January, 1843.]

MISCELLANEOUS.

CHAP. LV.

An Act to prevent the felling of Timber in the Rich Fork, Abbott's Creek, Hamby's Creek, Muddy Creek, Swareing Creek, and Western and Eastern Pott's Creeks, in Davidson County, and fishing with fire-light in Hamby's Creek in said County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That it

shall not be lawful for any person to cut or fell timber, or throw any slabs in the Rich Fork, Abbott's Creek, Hamby's Creek, Muddy Creek, Swareing Creek, and Western and Eastern Pott's Creeks, in Davidson county, and permit the same to remain twenty days, or fish with fire-light in Hamby's Creek, in said county; and any person so offending shall be deemed and held guilty of a misdemeanor, and shall be subject to be indicted therefor, in either the Superior or County Court of Davidson, and on conviction shall be fined at the discretion of the Court.

[Ratified the 3d day of January, A. D. 1843.]

CHAP. LVI.

An Act to prevent the falling of timber in or otherwise obstructing the stream of First Broad River, in the County of Cleaveland.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That any person or persons, who shall fell timber in or otherwise wilfully obstruct the stream of First Broad River, (in the County of Cleaveland,) shall for each and every offence, forfeit and pay the sum of ten dollars, recoverable by warrant, before any Justice of the Peace of said county, one half to the informer, and the other half to the use of the poor of said county: *Provided however,* that this act shall not be construed so as to affect the erection of any Mill-dam, or any other necessary obstruction for the erection of any machinery upon said stream; and that this act shall be in force from and after the ratification thereof.

[Ratified the 12th day of January, A. D. 1843.]

CHAP. LVII.

An Act to prevent the felling of timber into Second Broad River, in the County of Rutherford.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person to fell timber or throw slabs into Second Broad River, in the county of Rutherford, or otherwise to obstruct the current of said River: *Provided*, that nothing in this act contained, shall be so construed as to prevent the erection of fences across said River.

SEC. 2. *Be it further enacted,* That every person violating the true intent and meaning of this act, shall be liable, on conviction thereof, to pay a fine of ten dollars for each and every offence, recoverable by warrant, before any Justice of the Peace for said county of Rutherford, one half to the use of the informer, and the other half to be applied to the use of the poor of said county: *Provided always*, that the right of appeal shall be granted to the aggrieved party, as in other cases.

[Ratified the 7th day of December, A. D. 1842.]

CHAP. LVIII.

An Act to keep up a Bridge in the County of Henderson.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That

David Shufford, Samuel Allison, Charles Slagle, Martin A. Gash and L. S. Gash, be appointed Commissioners to repair and keep up the Bridge across French Broad River, known as the Shufford Bridge, in the county of Henderson.

SEC. 2. *Be it further enacted*, That it shall be the duty of the said Commissioners, to erect a toll gate thereon, and the following shall be the rate of toll to be collected by the said Commissioners, to wit: one horse vehicle, twenty-five cents; two horse carriage, thirty-five cents; three or four horse wagon, fifty cents; five or six horse wagon, sixty cents; horses or mules, three cents; man and horse, ten cents; hogs, sheep or cattle, one cent per head.

SEC. 3. *Be it further enacted*, That the monies collected by way of toll, shall be applied to the building and keeping the said bridge in repair: *Provided*, nevertheless, that any persons heretofore, having paid the sum of five dollars, towards the building of said bridge as aforesaid, he, she, or they, shall be permitted to pass the same free of toll.

SEC. 4. *Be it further enacted*, That if any person who is liable to pay toll, shall fail, neglect or refuse to pay the same, it shall be the duty of the Commissioners to collect the same by warrant, in their own names, before any Justice of the Peace.

SEC. 5. *Be it further enacted*, That this act shall continue in force for the term of six years from and after the ratification of the same.

[Ratified the 10th of December, 1842.]

CHAP LIX.

An Act to authorize the forming of a Fire Engine Company, in the Town of Salem, Stokes County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That

the free white males of the town of Salem, are hereby authorized to form and enroll themselves into a Fire Engine Company: *Provided*, that the members of said Company shall not exceed seventy-five.

SEC. 2. *Be it further enacted*, That the persons who are now, and those who shall hereafter be enrolled as members of the Salem Fire Engine Company, shall serve for the term of five years from the time of their enrollment, except in case of removal out of town.

SEC. 3. *Be it further enacted*, That the Company shall elect a Captain and one or two Lieutenants; and such other officers that may be required for its proper government and effective service in working three engines, hose, ladders, buckets and other apparatus.

SEC. 4. *Be it further enacted*, That it shall be the duty of the Captain of the Company, in order to render them prompt and efficient in case of fire, to train them at least four times a year, and not less than two hours each time, in working the engine in Company, by platoons or sections, and in using the other apparatus; subject to such fines as the Militia are subject to for non attendance at musters; but subject to the same excuse, to be laid before the Captain and Lieutenants, as a Board, and to be adjudged of by them, subject nevertheless, to the right of appeal as hereinafter provided.

SEC. 5. *Be it further enacted*, That it shall be the duty of the Captain of the Company, to cause to be taken care of and preserved in the house to be prepared by the town authorities, the Engine, Ladder, Buckets, Hose and other apparatus thereunto belonging; and when any repairs thereof be deemed necessary by a majority of the officers of the Company, the Captain shall cause the same to be done, the expenses for which repairs, shall be paid by the Town Treasurer or Wardens, on the draft of the Captain of the Company, which draft, when paid, shall be considered a good and sufficient voucher in settlement of the public accounts by the constituted authorities of the town.

SEC. 6. *Be it further enacted*, That the constituted authorities of the town, shall divide the same into suitable sections or wards; and shall from time to time, appoint a number of persons corresponding with the number of wards, to act as Fire-Wardens, whose duty it shall be, from time to time, to inspect their respective wards, either

singly or in company; and take notice and advise the respective citizens of any danger that may be perceptible in chimneys, fire places, &c.; and likewise make report to the proper authorities; and that they meet occasionally, and consult together.

SEC. 7. *Be it further enacted*, That in case of fire, the Captain shall consult with one or more of the fire Wardens, as to the proper mode of staying the progress and extinguishing the fire, and when they shall deem it expedient, for stopping the further progress of the fire, to order any house or houses to be pulled down, blown up or otherwise destroyed; they are hereby authorized to do the same, for which they shall not be responsible.

SEC. 8. *Be it further enacted*, That for raising a fund for procuring or replacing engines, hose, buckets, ladders, hooks and other apparatus, the constituted authorities of the town, are hereby authorized, if they deem it necessary, to lay a suitable tax, to be collected and accounted for as the other Town taxes.

SEC. 9. *Be it further enacted*, That a majority of the members of said Company, shall have power and authority to make such laws, rules and regulations, and pass such bye-laws, for their government, as to them may seem best, not inconsistent with the constitution of the United States or of this State, or inconsistent with the rules and regulations of the town; and that all fines and penalties incurred by virtue of this act, or by any bye-laws, shall be recoverable before any Justice of the Peace, in the name of the Captain of the Company: *Provided nevertheless*, that the right of appeal shall be preserved to either party, as is now by law established in trials before a Justice; and the fines and penalties thus obtained or recovered, shall form a fund to pay the incidental expenses of the Company, and the balance shall be applied in aid of expenditures in relation to the object of the concern generally.

[Ratified the 24th day of January, A. D. 1843.]

CHAP. LX.

An Act for the relief of purchasers of lands sold for Taxes in the
Counties of Haywood and Henderson.

Whereas, some time in the year 1828, the Clerk's Offices in the County of Buncombe, were broken and entered, and several records removed and destroyed; and among others the Tax Docket and returns of Tax list by the Justices for the year 1796, and other years preceding; by reason whereof, many persons claiming lands in the New Counties of Haywood and Henderson, under sales for taxes, are put to great inconvenience, and are likely to suffer loss for want of the evidence to support their titles, contained in the Records so removed and destroyed; for remedy whereof,

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That in all controversies at law, touching lands in the counties of Haywood and Henderson, in which either party shall claim title under any sale for taxes, alleged to have been due or laid, in or for the said year 1796, or any preceding year, the recital or recitals, contained in the deed, or assurance made by the Sheriff or other officer conveying or assuring the same, of the taxes having been laid and assessed, and of the same having remained due and unpaid, shall be held and taken to be *prima facie* evidence of the truth of each and every the matters so recited; any law, usage or custom to the contrary notwithstanding.

SEC. 2. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. LXI.

An Act to alter the time of selling Lands and Negroes in Montgomery County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That* the time of selling lands and negroes in the counties of Montgomery and Stanly, be changed in the months in which the Superior Courts for said counties happen, to the Mondays of said Superior Courts.

SEC. 2. *Be it further enacted, That* this act be in force from and after its ratification,

[Ratified the 25th day of January, A. D. 1843.]

CHAP. LXII.

An Act to repeal an act, passed in the year 1831, entitled "an act to abolish the Offices of County Trustee and Treasurer of Public Buildings in the Counties of Richmond, Columbus, Sampson and Robeson."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That so* much of the before recited act as relates to the county of Robeson, be, and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That hereafter the Justices of the County Court of Robeson, (a majority of the acting Justices being present) may appoint a County Trustee, under the same rules and regulations as are now prescribed by law; any law or usage to the contrary notwithstanding.

[Ratified the 26th of December, 1842.]

CHAP. LXIII.

An Act to repeal an Act, passed in the year eighteen hundred and thirty-five, entitled, "An Act to abolish the Office of County Trustee in the County of Moore, and for other purposes."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the before recited act, be, and the same is hereby repealed.

[Ratified the 22nd of December, A. D. 1842.]

CHAP. LXIV.

An Act to authorize John McBoyle and others. to keep floats or rafts of timber in Welche's Creek adjacent to and for the use of the Steam Saw Mill, erected by the said Boyle, near the town of Plymouth, in the county of Washington.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That it shall be lawful for John McBoyle and others to

keep floats or rafts of timber in Welche's Creek, adjacent to and for the use of the Steam Saw Mill, erected and put in operation by the said Boyle, on the said creek, near the town of Plymouth, in the county of Washington, provided, that the said Boyle, or any other person or persons shall make and keep the Canal which has been cut above the mouth of said Creek, to open a communication between it and the Roanoke River, wide and deep enough for the navigation or passage of all such vessels as are in the habit of navigating said Creek; and *Provided further*, that such floats or rafts shall not extend up the Creek higher than the said Canal.

SEC. 2. *Be it further enacted*, That the said Canal shall be deemed and taken to be a public highway for the free passage of all persons desiring to go into or come out of the said creek, from or into the Roanoke River, with their boats, vessels or other craft.

SEC. 3. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 24th day of December, A. D. 1842.]

CHAP. LXV.

An Act concerning the Commissioners of Navigation for the Port of Washington, and to amend the 88th chapter of the Revised Statutes.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the Justices of the Court of Pleas and Quarter Sessions for the county of Beaufort, or a majority of those present, (seven at least being present) shall annually, at the first term of said court, held after the first day of January, in each and every year, elect and appoint five persons to serve as Commissioners of Navigation, for the port of Washington, for the ensuing year, or until their successors

are legally appointed; but no person shall be eligible to the office of Commissioner of Navigation for the port of Washington, who is not at the time of his election, a citizen of the town of Washington, and seized of a freehold therein.

SEC. 2. *Be it further enacted*, That the persons elected and appointed in manner aforesaid, shall be a body corporate, under the name of the Commissioners of Navigation for the port of Washington, and shall have power by that name to make contracts, to sue and be sued, to plead and be impleaded, and to make bye-laws not inconsistent with the laws of this State or of the United States, concerning the subjects hereinafter placed under their control; and they shall appoint a Clerk, whose duty it shall be to record, in a book, all the bye-laws and proceedings of said Commissioners.

SEC. 3. *Be it further enacted*, That the said Commissioners, or a majority of them, shall have authority in all matters that concerns the Navigation of Pamlico River from Willow Point, downwards.

SEC. 4. *Be it further enacted*, That no person shall cast or throw from any vessel, into Tar or Pamlico River, any earth, stones, shells, or ballast of any kind whatever, under the penalty of two hundred dollars for each and every offence, and be further liable to indictment in the County or Superior Court of Law of the County of Beaufort; and upon conviction, may be fined and imprisoned at the discretion of the court.

SEC. 5. *Be it further enacted*, That no master or other officer of any vessel shall permit any person on board of said vessel to cast or throw from said vessel into Tar or Pamlico River, any earth, stone, shells or ballast whatsoever, under a penalty of two hundred dollars for each offence, and be further liable to indictment in the County or Superior Court of Law of the County of Beaufort; and upon conviction, may be fined and imprisoned at the discretion of the Court.

SEC. 6. *Be it further enacted*, That all penalties imposed by this act, or which may be imposed by any rule or regulation made by the said Commissioners of Navigation, under the authority thereof, may be sued for and recovered in the name of the Commissioners of Navigation for the Port of Washington, by action of debt, in the Court of Pleas and Quarter Sessions for the county of Beaufort, or in the Superior Court of Law for said county; any law to the contrary notwithstanding.

SEC. 7. *Be it further enacted*, That all penalties recovered under this act (after paying the Clerk and Printer, and defraying all other necessary expenses) shall be applied by the Commissioners to the purpose provided for in the following section.

SEC. 8. *Be it further enacted*, That the said Commissioners, or a majority of them, shall have full power and authority to purchase and to hold, in fee simple, a piece of land, and to build such house or houses thereon as they may think proper; and are hereby authorized to sell and dispose of the same, and to purchase again if necessary; which, when purchased and improved, shall be for the reception of such persons as shall come on board of any vessel which came from a place which at the time of her departure was infected with the yellow fever, small pox, or other infectious disease, or having it on board of said vessel at the time of her arrival in this port: *Provided*, that if the situation of the crew of any such vessel shall be such, that for the preservation of health, and preventing the spreading of any supposed infectious disease, the said Commissioners should, under the quarantine laws of this State, require said vessel to perform quarantine, then the crew of said vessel, or any part thereof, may be landed at such place so provided; and when so landed shall be under the direction of said Commissioners, in the same manner and under the same penalties, as though they had not been permitted to land from on board said vessel; and that they may employ a Physician to attend those persons so landed, and to furnish them with such necessaries, as provisions, clothing, or such articles as their situation may require during their continuance there; and all reasonable charges for the same, shall be a lien on the said vessel, master and owners.

Sec. 9. *Be it further enacted*, That the Commissioners of Navigation for the port of Washington, elected and appointed under this act, shall have all the powers and authorities heretofore vested in the Commissioners of Navigation for the port of Washington, by the ninety-sixth chapter of the Revised Statutes.

[Ratified the 26th day of January, A. D. 1843.]

[This act and acts chaps. 68 & 69 are deemed sufficiently public in their nature, to be entitled to a place among the "Public Acts;" but in arranging the copy for the press, they accidentally fell among the *Private*, which was not discovered in time to be altered in the printing.]

ROADS.

CHAP. LXVI.

An Act to alter and improve the road leading from Wilkesboro, up Mulberry Creek, across the Blue Ridge, into Ashe County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That John Reeves Jr. and John Baker Esq. of the county of Ashe, and Enoch Vannoy, Martin Whitley and James C. Hunt, of the County of Wilkes, be, and the same are hereby appointed Commissioners, to view and lay off a road, beginning at or near John Absher's, on Mulberry Creek, in the county of Wilkes, up said Creek, across the Blue Ridge, into Ashe county; thence to the Virginia line.

SEC. 2. *Be it further enacted,* That before the Commissioners shall enter upon the duty of their office, they shall take an oath, before some Justice of the Peace of Wilkes or Ashe county, that they will lay off the said road, the best and most convenient way, having due regard to private property, as well as public good; and shall on oath assess all damages that any individual or individuals may sustain by the construction of said road.

SEC. 3. *Be it further enacted,* That said Commissioners shall report to the County Courts of Wilkes and Ashe; and if said Courts, nine of the acting Justices being present, shall concur in said report, then the said Commissioners shall be paid for their services, at the discretion of said Courts; likewise the damages assessed by said Commissioners.

[Ratified the 25th day of January, A. D. 1843.]

CHAP. LXVII.

An Act for the improvement of Lumber River, from Campbell's Bridge, to McLean's Turnpike.

Whereas, the navigation of Lumber River from Campbell's Bridge, to McLean's Turnpike, is of much importance to the adjacent country, and many persons are anxious the same should be improved, and are willing to aid the enterprize by contributions of money and labor; and whereas it is just that the contributors should be reasonably rewarded.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That John McNeill, Neal Leach, Hector McNeill, Alexander McMillan, Joseph McMillan, Malcolm McLean, Simeon McLearn, Angus McDiarmid, Archibald McFarland, William McFarland, John McAllister, Jr.; Alexander Shaw, Neal McLean, and John Gilchrist, of Richmond county; and Lauchlin McNeill, Angus Love, J. N. Currie, Neal Kelly, Daniel McEachin, Neal Currie, John Currie, A. McMillan and Edward McEachin, of Robeson county; and William McLean, of Cumberland county, or a majority of them, with such other individuals as they may associate with them at their first regular meeting under the provisions of this act, are hereby declared to be incorporated into a company, by and under the name and style of the Lumber River Navigation Company, for the purpose of making said River, between Campbell's Bridge and McLean's Turnpike, navigable for the transportation of Ton Timber, sawed lumber, Tar, Turpentine, Shingles and other naval stores, with full power to sue and be sued, plead and be impleaded, defend and be defended, in any of the courts of this State.

SEC. 2. *And be it further enacted*, That said Navigation Company, or a majority of them, shall have power to meet together at such

time and places as may suit their convenience, for the purpose of electing a President and Directors, with such other officers as they may deem necessary in the prosecution of the enterprize and the management of the affairs of the Company, who shall remain in office for one year, and until others are appointed.

SEC. 3. *And be it further enacted*, That said Company shall have full powers from time to time, to pass all bye-laws considered necessary for the government of its officers in the discharge of their appropriate duties, and to pass any other law, or to adopt any other measure deemed important to the interest of the Company, either in opening the River, or rendering the same profitable to the Company afterwards, not inconsistent with the laws and Constitution of this State.

SEC. 4. *And be it further enacted*, That said Company shall have power to levy and collect tolls upon said River, between Campbell's Bridge and McLean's Turnpike, paying due regard to the distance used by the transporter; restricted in amount to fifteen per cent per annum, upon the capital stock; and that the gross amount so imposed and collected, shall not exceed that amount in any one year after paying current expenses.

SEC. 5. *And be it further enacted*, That the provisions of this act shall extend to the first day of June, in the year 1863, and no longer.

[Ratified the 25th of January, A. D. 1843.]

SCHOOLS COMMON.

CHAP. LXVIII.

An Act for the relief of the Counties of Nash and Ashe.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That

the County of Nash, at the election held in said county, in the month of August, eighteen hundred and forty-one, and the county of Ashe, at the election held in said county for members of the present General Assembly, having by a majority of the legal voters of each of the said counties, adopted the Common School system, as established by law, are hereby declared to be entitled to all the rights benefits and privileges granted, and to be subject to all the duties and responsibilities prescribed in the act entitled an act, for the establishment and better regulation of Common Schools, passed in the year eighteen hundred and forty-one; and the Comptroller is hereby authorized and directed to issue a warrant in favor of the Chairman of the board of Superintendents of each of the said counties, for their proportion of the nett annual income of the Literary Fund, so as to place them on a footing of equality with the counties having already participated in the benefits of the said fund.

SEC. 2. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 27th day of December, A. D. 1842.]

CHAP. LXIX.

An Act for the relief of the County of Yancy.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the County of Yancy, at the election held in said county, on the fifth day of August, eighteen hundred and forty-one, having by a majority of the legal voters of said county, adopted the Common School system, as established by law, are hereby declared to be entitled to all the rights, benefits and privileges granted, and to be subject to all the duties and responsibilities, prescribed in the act entitled an act, for the establishment and better regulation of Com-

mon Schools, passed in the year eighteen hundred and forty-one; and the Comptroller is hereby authorized and directed to issue a warrant in favor of the Chairman of the Board of the Superintendents of said County of Yancey, for its proper portion of the nett annual income of the Literary Fund, so as to place said county on a footing of equality with the counties having already participated in the benefits of the said Fund.

SEC. 2. *Be it further enacted*, 'That this act shall be in force from and after its ratification.

[Ratified the 24th day of January, A. D. 1843.]

TOWNS.

CHAP. LXX.

An Act to amend the 3rd section of an act, passed by the General Assembly of this State. at the Session of 1834, entitled "an act to appoint Commissioners for the town of Clinton, and for other purposes."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That so much of the above recited act as prohibits the Commissioners of the Town of Clinton, in Sampson county, from extending the limits of said town beyond one fourth of a mile, from the Court House of said town, be, and the same is hereby repealed.

SEC. 2. *And be it further enacted*, 'That the limits of said town of Clinton, be, and the same are hereby extended to the distance of one

half a mile in every direction from the Court House in said town; and it shall be the duty of the Commissioners of said town to cause a survey thereof to be made, and file a copy of said survey, in the office of the Clerk of the county court of said county.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. LXXI.

An Act to amend an act, entitled "an act for the better regulation of the town of Tarborough, in Edgecomb County."

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That in lieu of one Magistrate of Police, and five Commissioners, as now provided for in the said act, there shall be elected for said town, only three Commissioners, and each one of said Commissioners shall be, and is hereby empowered to exercise and discharge the powers and duties by said act conferred on the Magistrate of Police.

SEC. 2. *Be it further enacted,* That instead of the time now prescribed by said act for taking a list of taxables for said town, the inhabitants thereof are hereby required to give in a list of their taxable property at the same time provided by law, for taking a list of County and State taxables; and all laws and clauses of laws coming in conflict with the provisions of this act, are hereby repealed.

[Ratified the 21st day of January, A. D. 1843.]

CHAP. LXXII.

An Act for the better regulation of the Town of Statesville.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same;* That Theophilus M. Stimson, John A. Young, Theophilus Falls, Samuel R. Bell, and James W. Stockton, be, and they are hereby appointed Commissioners for the town of Statesville, in the county of Iredell; and that said above named Commissioners shall take an oath of office on or before the last day of February next; and shall hold their appointment one year, and until others are elected according to the provisions of this act.

SEC. 2. *Be it further enacted,* That it shall be the duty of the Sheriff of said county, some time in the month of February, one thousand eight hundred and forty-four, and every two years thereafter, to hold an election for five Commissioners for said town; and should the said Sheriff, or any of his successors in office, fail or neglect to hold an election as aforesaid, the Sheriff, for the time being, shall forfeit and pay for every such failure or neglect the sum of fifty dollars, recoverable by warrant, before any Court having cognizance thereof.

SEC. 3. *Be it further enacted,* That the said Sheriff shall give ten days' notice previous to holding any such election, which shall in every instance be held at the Court House in said town; and every free white male of the age of twenty-one years, who shall have resided in the limits of said town for the space of three months, immediately preceding and at the day of election, and shall have at any time paid a tax in said county, shall be entitled to vote in said election.

SEC. 4. *Be it further enacted,* That any person who shall be appointed or elected, under this act, and shall fail or refuse to act as Commissioner of said town, or to qualify within two months after

his appointment or election, such delinquent or delinquents, shall forfeit and pay for every such failure or neglect the sum of fifty dollars: *Provided however*, that no person shall be required to perform the duties of Commissioners for said town more than two in every four years; and all the fines and forfeitures which may be collected under the provisions of this act, shall be applied to the repairs of the streets of said town; and it is hereby made the duty of the County Solicitor to sue for, and recover the same in the name of the Chairman of the County Court, and his successors in office.

SEC. 5. *Be it further enacted*, That the said Commissioners or a majority of them shall have full power and authority to make any bye-laws, rules and regulations, and from time to time, alter or amend the same, for the better regulation of said town: *Provided nevertheless*, that said bye-laws, rules and regulations, shall not be inconsistent with the constitution and laws of this State or of the United States.

SEC. 6. *Be it further enacted*, That the said Commissioners or a majority of them shall have full power and authority, for the purpose of keeping the streets of said town in repair, to lay a tax on all town lots, according to their respective valuation and upon all taxable polls within the limits of said town, and shall be compelled to fill all vacancies that may occur in their body, by death or removal; and no person shall be eligible to serve as Commissioner except he live in the limits of said town.

SEC. 7. *Be it further enacted*, That should the said Commissioners fail or neglect to keep the streets of said town in good repair, they shall for every such neglect, be liable to indictment, in any Court of record, under the same rules and regulations, that now apply to overseers of Public Roads.

SEC. 8. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 15th day of December, A. D. 1842.]

CHAP. LXXIII.

An Act to contract the limits of the town of Wadesboro', in Anson County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That an act, passed by the General Assembly, in the year one thousand eight hundred and forty-one, entitled "an act to enlarge the limits of the town of Wadesboro', in Anson County, be, and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That the boundaries of the town of Wadesboro', in Anson County, shall be contracted, so that the said town shall be included within lines drawn through points, one quarter of a mile distant from the Court House, on the North, South, East and West directions from the same; and that the County Surveyor of Anson shall, on some day before the twentieth day of March, one thousand eight hundred and forty-three, run and mark the said lines.

SEC. 3. *And be it further enacted,* That this act shall go into operation from and after its ratification.

[Ratified the 26th day of January, A. D. 1843.]

CHAP. LXXIV.

An Act to amend the acts for the better regulation of the town of Williamston.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That

on the last Monday in December, 1842, the citizens of Williamston, at the Court House in said town be allowed to vote for, and elect five Commissioners who shall govern the town, aforesaid according to the provisions of this act, and the other acts not repealed, of which this is an amendment; and such persons so elected shall remain in office for one year, and until others are elected; and it shall be the duty of the board of Commissioners, last legally elected, or so many as are resident of the town, to appoint two persons to hold the first election under this act, and notify the Commissioners elect; and thereafter annually at the same time and place, it shall be the duty of the town Constable for the time being to hold the election, giving five days' public notice thereof, and to notify the Commissioners elect; and in case the town Constable shall fail to advertise and hold the election as aforesaid, he shall be subject to a penalty of ten dollars, to be recovered before a Justice of the Peace for the county of Martin; and it shall be the duty of the Chairman of the Board of Commissioners to sue for the same, for the use of the town; but in case there should be no town Constable, or he should fail to perform the duty aforesaid, then the Board of Commissioners for the time being, shall appoint some person to hold the election on that day, or any day thereafter, whose duty it shall be to give the same notice thereof; and the report of the election shall be spread upon the records of said town, and shall be conclusive.

SEC. 2. *Be it further enacted*, That it shall be the duty of the next Board of Commissioners to call upon their predecessors for the books, monies and papers belonging to the town; and proceed, through the officers appointed by them, to collect all arrearages of taxes and forfeitures for failing to work on the streets, that can be collected; and they shall make a record thereof; and it shall be their duty as of each subsequent Board, to keep a record of their proceedings, the amount of taxes imposed, and a list of the same, with a list of those failing to work on the streets, and the amount due from each; and they shall fully pay to and account with their successors, for all monies collected, or which might have been collected during the time they were in office; and they shall deliver up all the books and papers belonging to the town; and upon a failure so to do, the Board for the time being may recover a judgment therefor, before any Justice of the Peace for the county aforesaid (giving five days' notice of the application) with the sum of ten dollars as a penalty from each Com-

missioner so failing or refusing; and should the default occur in consequence of the failure of any of the officers appointed by the Commissioners, they shall have the same remedy against him or them, with the addition of twenty-five dollars each, as a penalty.

SEC. 3. *Be it further enacted*, That it shall be the duty of the Commissioners to supply (by appointment) any vacancy in their Board, or in any of the officers, they are authorized to fill with the same penalties as original appointments; and they may appoint and remove any of said officers at any time when they believe it proper.

SEC. 4. *Be it further enacted*, That the clauses of laws, now in force, within the purview of this act, and coming in conflict therewith, be, and the same are hereby repealed, and that this act be in force from and after its ratification.

[Ratified the 5th of December, A. D. 1842.]

CHAP. LXXV.

An Act for the better regulation of the Town of Wilmington.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That there shall be an election held in the Town of Wilmington, under the superintendence of the Clerk of said town, on the first Monday in each and every year, for the purpose of electing seven Commissioners for said Town; and that said Commissioners shall be invested with all the power and authority heretofore invested by law in the Commissioners of said Town.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Clerk of said town, to advertise said election two weeks previous to the day on which said election is to take place, in some Newspaper published in said town; and that he keep the Polls open on the day

of election, from 10 o'clock in the morning until 4 o'clock in the evening; and the seven persons receiving the greatest number of votes, shall be declared duly elected Commissioners of said town until the next annual election.

SEC. 3. *Be it further enacted*, That all laws and clauses of laws coming within the meaning and purview of this act, be, and the same are hereby repealed.

SEC. 4. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified the 22nd day of December, A. D. 1842.]

CHAP. LXXVI.

An Act for the better government and regulation of the Town of Hertford, in Perquimons County.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That Polls shall be opened at the Court House, in the town of Hertford, under the direction of the Sheriff of Perquimons county and two Inspectors appointed by him, on the first Thursday in March next, and annually thereafter on the same day, under the inspection and control of such persons as may be designated under the subsequent provisions of this act, for the purpose of choosing three persons, to act as a Board of Commissioners in and for said town, for the term of one year and after, until others, duly chosen and qualified, have entered upon the duties of their office: *Provided however*, that no one shall be eligible as Commissioner, who has not resided during the six months preceding, within the limits of said town, and is not an actual resident at the time of such election; and one of the three at least, shall be an acting Justice of the Peace for the county of Perquimons.

SEC. 2. *Be it further enacted* That every resident of the said town, qualified to vote for members of the House of Commons, shall be entitled to vote for such Commissioners; and the election shall be conducted as elections now are for the choice of members of the General Assembly.

SEC. 3. *Be it further enacted*, That the Commissioners thus elected, being notified by the Inspectors, shall before entering on the duties of their office, take an oath before some Justice of the Peace for the county aforesaid, to perform faithfully and impartially the duties of their office, to the best of their ability; and any refusing to take such an oath for the space of one month after the election, having been notified thereof ten days, unless he shall remove out of the limits of said town, within the time, or be otherwise incapable to serve, shall be liable to pay the sum of ten dollars to the use of said town; for which forfeiture the State's Attorney for the county aforesaid, is hereby authorized and required to bring suit in the name of the Board of Commissioners aforesaid, in the County Court of Perquimons county.

SEC. 4. *Be it further enacted*, That said Commissioners be constituted a body corporate under the name and style of the Board of Commissioners for the town of Hertford; and as such shall have a common seal, may sue and be sued; may purchase, hold and convey property of any kind; shall have power to alter, extend and establish boundaries to said town, lay off and sell lots out of the town commons, giving immediately thereafter ten days' public notice of any change made; may remove nuisances, erect bridges, provide against fire and disease; and make all necessary bye-laws and regulations for the good government and well ordering of said town, not inconsistent with the constitution and laws of this State.

SEC. 5. *Be it further enacted*, That the Board aforesaid, shall appoint a Town Treasurer, who shall give bond payable to the Board, with good and sufficient security, conditioned for the faithful keeping and paying over of all such sums as may come into his hands. It shall be his duty to receive all moneys belonging to the town, and pay the same out by order of the Board; at the end of the year, he shall publish a statement of his accounts in some conspicuous place

in the town; and for such services he shall be entitled to a commission, to be allowed by the Board.

SEC. 6. *Be it further enacted*, That the Board shall appoint a Town Constable, who shall also give a bond to be adjudged of by the Board, payable to them as such, and conditioned for the faithful discharge of his duties; it shall be his duty to serve notices, to hold elections, to collect all taxes levied by the Commissioners, by virtue of this act, and to pay over the same to the Treasurer, and shall moreover have such powers, and be subject to such responsibilities, as now attach to other Constables in the county aforesaid, and shall be subject to such regulations as the Board may enact, as authorized under this act; and for all such service, shall receive fees as allowed by the Board, in addition to those now allowed by law.

SEC. 7. *Be it further enacted*, That the Board shall appoint an overseer of the streets, whose duty it shall be to keep them in good and sufficient repair; and to this end, he shall be empowered to require the services of all persons residing in said town, under the same rules, restrictions and regulations, as persons are now by law, liable to work on public roads, and in all other respects shall possess the powers and be liable, as overseers of roads are in said county.

SEC. 8. *Be it further enacted*, That the said Board shall appoint a sufficient patrol to be composed of white male persons above the age of eighteen years, (and owning or hiring slaves) who shall, within five days after being notified of such appointment, take an oath similar to the one now prescribed for other patrols in said county; and in case of failure, or refusal to qualify, shall pay such a fine as is named in the third section for failure of Commissioners, to be collected and appropriated in the same way: in discharging their duties, they shall observe such regulations as the Board may prescribe, and at the end of the year, upon oath being made of their faithful performance of the duties of their appointment, the patrol shall receive such compensation as the Board may establish.

SEC. 9. *Be it further enacted*, That to attain the purpose of this act, the Board of Commissioners shall have power annually, when they deem necessary, to lay a tax on all the persons and property within the limits of said town; *Provided*, that said tax shall in no

one year amount to more than fifty cents on every poll, and twelve cents on every hundred dollars valuation.

SEC. 10. *Be it further enacted*, That it shall be the duty of each person residing within, or holding property of any kind within the limits of said town, to deliver to the Board annually, as may be required, a statement on oath of all the taxable property owned or possessed by them, when required by the Board, within ten days; and for failure to do so, shall pay a double tax on all property not given in, as above; and all taxes not paid when called for by the collecting officer, shall be collected by warrant, in the name of the Board, and under the same rules and regulations as all other debts are collected in Perquimons county.

SEC. 11. *Be it further enacted*, That all appointments made by the Board, shall be for one year; and if any person appointed pursuant to this act, unless excused by the Board, shall refuse or neglect to serve, such person shall be liable to pay ten dollars to the use of the town; and the Board are hereby authorized and directed to bring a warrant for the same, before any acting Justice of the Peace of said county, for the same, in the name of the Board as aforesaid.

SEC. 12. *Be it further enacted*, That the Board or the acting members or member, may order special elections to fill vacancies in their body; may call together the citizens of said town, when necessary, at which all questions affecting the welfare of said town, may be submitted, resignations of the Commissioners may be tendered, and all necessary business may be transacted; at which meeting the eldest Commissioner shall preside. The Commissioners shall also appoint Inspectors to conduct the annual and special elections in connection with the Town Constable; also the Board shall have power to appoint a Secretary, whose business it shall be to record all the proceedings of the different meetings, and to issue all orders, and in short, to do and execute all instruments of writing, relative to the business of said Board.

SEC. 13. *Be it further enacted*, That if from any cause a majority of the qualified voters in said town, should not vote at the first election herein authorized to be held for the choice of Commissioners, or more than two full years shall at any time hereafter pass, without any election being held, or that the Commissioners shall neglect

or refuse to act; then and in either such event, the County Court of the County of Perquimons shall be invested with such powers, and be authorized to make such orders and appointments over and relating to said town, as said Court now may over other parts of said county: *Provided*, the Sheriff shall be judge whether a majority have voted as above, and shall make proclamation thereof immediately upon such fact being ascertained, at the same place where such election may be held.

SEC. 14. *Be it further enacted*, That Commissioners appointed under this act, be, and they are hereby empowered and authorized to sell all vacant lots on the margin of the river, in said town; and all vacant lots in said town, to which there is no good and sufficient title, and to rent or lease out all, or as much of the town commons, as they may think proper; and the money arising from such sale, appropriate for the use of the said town.

SEC. 15. *Be it further enacted*, That the said Board of Commissioners shall lay off and enclose a public grave yard, within the limits of said town; and shall apply all moneys by them raised under the provision of this act, as to them shall seem meet and proper for the benefit and improvement of said town.

SEC. 16. *And be it further enacted by the authority of the same*, That the act passed by the General Assembly, at its session of 1838 and 1839, entitled "an act to appoint Commissioners for the town of Hertford, and other purposes," and all other acts inconsistent with the provisions of this act, be, and the same are hereby repealed.

[Ratified the 21st day of January, A. D. 1843]

RESOLUTIONS

OF A PRIVATE NATURE,

PASSED BY THE

LEGISLATURE OF NORTH CAROLINA,

[AT ITS SESSION OF 1842—43.]

Resolution in favor of John M. Morehead, Gov. of N. C.

Resolved, by the Legislature of the State of North Carolina, That the Public Treasurer pay to his Excellency, John M. Morehead, the sum of sixty-one dollars fifty-four cents, it being the amount which he paid for furniture for the Governor's house, over and above the thousand dollars appropriated at the last session of the Legislature.

[Ratified the 21st day of January, A. D. 1843.]

Resolution extending to John H. Wheeler, Treasurer elect, further time to give his official Bond.

Whereas, John H. Wheeler the Treasurer elect of this State, hath tendered a bond purporting to be his official bond as Treasurer aforesaid; and *whereas* there is a difference of opinion between the Gov-

ernor of the State, and the Speakers of the two Houses of the General Assembly, as to the validity of said Bond, and as to the sufficiency of the condition thereof; and *whereas*, a duplicate of said Bond hath been transmitted to the General Assembly by the Governor of this State:

Resolved, therefore, That John H. Wheeler be allowed until the twenty-third day of this month, to prepare his official bond, according to the provisions of the Statute, in such case made and provided; and that the said bond, when so prepared and delivered and approved according to law, shall be good and effectual in law and equity, as though the same had been given and approved within twenty-one days after his election; any law to the contrary notwithstanding.

[Ratified the 11th day of January, A. D. 1843.]

Resolution in favor of Charles L. Hinton.

Resolved, That Charles L. Hinton, late Public Treasurer, be allowed out of the Public Treasury, a sum in proportion to and at the rate of the annual salaries of the Public Treasurer, and his Clerk, from nineteenth December, 1842, the expiration of his term of office, to the time the Treasurer elect entered on the duties of his office, for his attention and services in acting as agent, and remaining in charge of the effects of the Treasury, to wit: from the nineteenth December, until twenty-first January inclusive.

[Ratified the 26th day of January, A. D. 1843.]

Resolution in favor of Charles L. Hinton, Public Treasurer.

Resolved, That Charles L. Hinton, Public Treasurer, be allowed in the settlement of his public accounts, the sum of one hundred and

fifty-three dollars and seventy cents, the amount of Treasury notes counted and burnt by the Committee on Finance.

[Ratified the 18th of January, 1843.]

Resolution in favor of Charles L. Hinton, Public Treasurer.

Resolved, That Charles L. Hinton, Public Treasurer, be allowed in the settlement of his public accounts, the sum of eighty dollars, paid to S. Birdsall, for travelling expenses to Macon county, to adjust an unsettled account with the former agent of the State, for the collection of Cherokee bonds.

[Ratified the 3d day of January, A. D. 1843.]

Resolution in favor of Robert Cochran.

Resolved, That the Public Treasurer pay to Robert Cochran, Twenty dollars, for ten Maps of the State of North Carolina, furnished by him for the use of both Houses.

[Ratified the 26th of January, 1843.]

Resolution in favor of Morris, Tasker and Morris.

Resolved That the Public Treasurer be authorized to pay Mor-

ris, Tasker and Morris, sixty-eight dollars and twenty-five cents, for materials furnished by them in rebuilding the State Capitol.

[Ratified the 20th of January, 1843.]

Resolution in favor of Thomas J. Lemay.

Resolved, That the Public Treasurer be authorized to pay Thomas J. Lemay one hundred and thirteen dollars and eighty-eight cents, and that he be allowed the same in the settlement of his public accounts.

[Ratified the 26th of January, 1843.]

Resolution in favor of Bryan and Maitland.

Resolved, That the Public Treasurer pay to Bryan and Maitland the sum of one hundred and seven dollars, for the storage of forty-two boxes of muskets and cartridge boxes, which shall be a full compensation for all storage of said muskets; and that he be allowed the same in the settlement of his public accounts.

[Ratified the 26th of January, 1843.]

Resolution rescinding a Resolution passed 1841, in favor of James Erwin.

Resolved, That a Resolution, passed at the last session of the

General Assembly, and Ratified 11th January, 1841, in favor of James Erwin, be, and the same is hereby repealed.

[Ratified the 26th January, 1843.]

Resolution for the relief of the Clerks of the County Courts of Franklin and Nash.

Resolved, That Smith Patterson, Clerk of the County Court of Franklin, and Samuel Brown, Clerk of the County Court of Nash, be relieved from the penalty incurred for failing to make a return of an abstract of the list of taxables, to the Comptroller; also, for failing to make a return of the names of Sheriffs and their securities to the Comptroller, on or before the first day of September, 1842; and that the suits now on the docket of the Superior Court of Wake County, be dismissed on payment of costs by said Patterson and Brown, of the above counties of Franklin and Nash.

[Ratified the 15th of December, A. D. 1842.]

Resolution directing the Secretary to record a grant to J. Montgomery, of Bladen.

Resolved, That the Secretary of State be directed to record in the books of his office, the grant which bears the signature of Gabriel Johnston, and which was executed by Governor Johnston to John Montgomery, for three hundred and Twenty acres of land in Bladen county, and which bears date the 12th September, 1735.

[Ratified the 25th of January, 1843.]

Resolution in favor of George Simpson.

Resolved, That the Public Treasurer be authorized to pay to George Simpson, three dollars, for furnishing ten locks in rebuilding the State Capitol.

[Ratified the 9th day of January, A. D. 1843.]

Resolution in favor of Green Hill.

Resolved, That the Public Treasurer be authorized to pay to Green Hill fifty dollars and thirty-one cents, for sundry articles furnished the General Assembly at its present session; and that he be allowed the same in the settlement of his public accounts.

[Ratified the 26th of January, 1843.]

Resolution in favor of Richard C. Stubblefield, of Rockingham County.

Resolved, That the Public Treasurer of this State refund to Richard C. Stubblefield, of Rockingham county, or his agent, fifty dollars, which sum was collected of the said Stubblefield, by the Sheriff of Bertie county, as a penalty incurred in selling cotton yarn not the manufacture of this State; and that he be allowed the same in the settlement of his accounts.

[Ratified the 9th day of January, A. D. 1843.]

Resolution in favor of Joshua Bullock.

Resolved, That the Secretary of State be, and he is hereby authorized and required to issue a duplicate warrant to the heirs of Joshua Bullock, of Granville county, for 888 acres of land, the original warrant for which was issued the 10th September, 1827, as appears from entry 1234 and from receipt filed in his office.

[Ratified the 19th day of December, A. D. 1842.]

Resolution in favor of Jane Buchanon, of Yancy County.

Resolved, That the Secretary of State be authorized, and he is hereby required to issue to Jane Buchanon, a grant for fifty acres of land, on entry 1601, for which she has paid five dollars, on the rendition of the Treasurer's receipt—warrant and plat for the same.

[Ratified the 22nd day of December, 1842.]

Resolution in favor of Joseph M. Bogle, late Sheriff of Iredell County.

Resolved, That the Public Treasurer be authorized to pay to Joseph M. Bogle, late Sheriff of Iredell County, two hundred dollars, being the amount of a fine incurred by said Sheriff, under the seventy-first section of the Revised Statutes, (chapter one hundred and two) in failing to deliver to the Comptroller, a copy of the list of taxes

received from Merchants, Retailers, &c. &c.; and that the same be allowed him in the settlement of his public accounts.

[Read three times and ratified in General Assembly, second day of December, one thousand eight hundred and forty-two.]

Resolution in favor of Charles Blanton Sheriff of Cleaveland County.

Whereas, Charles Blanton, Sheriff of Cleaveland County, did, in his settlement made at Treasurers office, twenty-second September, 1841, account for three hundred and fifty-one thousand dollars value of land, and eleven hundred and twenty one Polls; and *whereas* from a corrected return made by the Clerk, he should have paid the taxes on three hundred and forty-one thousand two hundred and twenty-three dollars value of land, and eleven hundred and eleven polls, making a difference in favor of said Blanton, of eight dollars and forty-nine cents:

Resolved, therefore, That the Public Treasurer pay to the said Charles Blanton, Sheriff of Cleaveland County, the sum of eight dollars and seven cents, out of any money in the Treasury, not otherwise appropriated.

[Ratified the 15th day of December, A. D. 1842.]

Resolution in favor of Richard W. Long.

Resolved, That the Treasurer of this State pay to Richard W. Long, Sheriff of the County of Rowan, nineteen dollars and eighty cents, being the amount of ninety-nine insolvent polls allowed him for the year 1841, by the County Court of Rowan, and not deducted in his return.

[Ratified the 27th day of December, A. D. 1842.]

Resolution in favor of Arthur S. Mooring, late Sheriff of Martin County.

Resolved, That the Public Treasurer pay to Arthur S. Mooring, late Sheriff of Martin County the sum of twenty six dollars and ninety-eight cents, for one hundred and forty-two insolvent polls allowed by the County Court of the county aforesaid, for the years 1839 and 1840; and that he be allowed the same in the settlement of his public accounts.

[Read three times, and ratified in General Assembly, the fourteenth day of December, Anno Domini, one thousand eight hundred and forty-two.]

Resolution in favor of William H. Holloman.

Resolved, That the Public Treasurer pay to William H. Holloman, Thirty-three dollars and sixty cents, for making four fire fenders for the State Capitol; and that he be allowed the same in the settlement of his public accounts.

[Ratified the 24th of January, 1843.]

Resolution in favor of Charles Frazier.

Resolved, That the Public Treasurer be authorized to pay to Charles Frazier, the sum of thirty dollars, for painting fifteen labels for the doors in the State Capitol; and that he be allowed the same in the settlement of his public accounts.

[Ratified the 9th day of January, A. D. 1843.]

Resolution to pay Joseph A. King, thirty-eight dollars.

Resolved, That the Public Treasurer be authorized to pay to Joseph A. King, the sum of thirty-eight dollars, for carrying a writ of election to the first Senatorial District, to supply the place of Hon. William B. Shephard resigned; and that he be allowed the same in the settlement of his public accounts.

[Ratified the 15th of December, 1842.]

Resolution in favor of John R. Harrison.

Resolved, That the Public Treasurer be authorized to pay to John R. Harrison, the sum of twenty six dollars, for carrying a writ of election to the county of Onslow, to supply the vacancy occasioned by the resignation of John B. Pollock.

[Read three times, and ratified in General Assembly, the 23d day of December, Anno Domini, one thousand eight hundred and forty-two.]

Resolution in favor of Zaccheus Slade.

Whereas, in the year 1837, a wagon conveying arms and accoutrements belonging to the State of North Carolina, from Raleigh or some other place, to Newbern, by some accident, was precipitated into a Creek by which the said accoutrements would have been materially injured, if not entirely destroyed, had they not been attended to immediately; whereupon, the Major General of that division, employed a man by the name of Slade, to dry, oil and blacken 1412 pieces, for which labor he charges the moderate sum of \$38 83; and also thinks himself entitled to interest after six months, on the above sum of \$38 83, which is \$10 67, making in all \$49 50:

Therefore be it Resolved, That the Public Treasurer be directed to pay to Zaccheus Slade, or his agent, the sum of Forty-nine dollars

and fifty cents, out of any money in the Treasury not otherwise appropriated.

[Ratified the 9th day of January, A. D. 1843.]

Resolution in favor of James W. Satchwell, Aquilla Davis and Joseph Sawyer.

Resolved, That the President and Directors of the Literary Board, pay to James W. Satchwell, Aquilla Davis, and Joseph Sawyer, each ten dollars, for their examination of the reclaimed Swamp Lands in this State, in the county of Hyde.

[Ratified the 25th day of January, A. D. 1843.]

Resolution in favor of S. Burns.

Resolved, That the Public Treasurer pay to S. Burns, fifteen dollars and fifty cents, out of any money in the Treasury not otherwise appropriated, for making a new seal, for repairing one, and for fenders for the Supreme Court Room.

[Ratified the 27th of January, 1843.]

Resolution in favor of John M. Mason.

Resolved, That the Public Treasurer pay John M. Mason two hundred two dollars and twenty-one cents, by giving him credit on his note held by the Literary Board, to bear date with the date of his, Mason's, note.

[Ratified the 23d January, 1843.]

Resolution in favor of J. N. Crosby.

Resolved, that the Public Treasurer pay to J. N. Crosby, the sum of forty-five dollars, for making a book case and wash stand, and re-

pairing committee room door, for the House of Commons, in the year 1842; and that he be allowed the same in the settlement of his public accounts.

[Ratified the 26th January, 1843.]

A Resolution authorizing J. Simmons and A. Bryan to obtain grants on certain entries made in Brunswick County.

Resolved, That Joseph Simmons and Armelian Bryan, be allowed to pay the purchase money for their respective entries, numbers 2,222 and 2,227, as per Entry Taker's Book, Brunswick county, December, 14th, 1836, and March 28th, 1837; and that upon the payment of the purchase money, they obtain grants for the same: *Provided nevertheless*, this resolution shall not prejudice nor affect any entry made conformable to the existing law, nor any grant which may have been obtained for said lands.

[Ratified the 25th of January, 1843.]

Resolution in favor of the Door-keepers.

Resolved, That the Public Treasurer pay to each of the door-keepers of both Houses, twenty-five dollars, the usual extra allowance; and that they be compelled to pay out of the same, the hands necessarily employed by them for bringing wood and water to the State House during the present session.

[Ratified the 25th day of January, A. D. 1843.]

Resolution to pay Green Hill, forty-four dollars.

Resolved, That the Public Treasurer be authorized to pay to Green Hill, the sum of forty-four dollars, for carrying a writ of election to the thirteenth Congressional District, to supply the place of the Honorable Lewis Williams, deceased; and that he be allowed the same in the settlement of his public accounts.

[Read three times, and ratified in General Assembly, this 15th day of December, A. D. 1842.]

CALVIN GRAVES, *Speaker of the House of Commons.*

LOUIS D. WILSON, *Speaker of the Senate.*

NORTH CAROLINA.

SECRETARY OF STATE'S OFFICE,

APRIL 1843.

}

I, WILLIAM HILL, Secretary of State in and for the State of North Carolina, do hereby certify that the Acts and Resolutions contained in this Pamphlet, are true copies of the original Acts and Resolutions, passed by the General Assembly of this State, at its late Session.

WILLIAM HILL, *Secretary of State.*

INDEX TO THE PUBLIC LAWS.

APPEALS.

| | |
|---|--------|
| Amending the fourth Chapter of the Revised Statutes, entitled "Appeals and Proceedings in the nature of Appeals | Page 3 |
| Authorizing Superior Courts to allow appeals to the Supreme Court, in certain cases without requiring security | 4 |
| Regulating Appeals | 5 |

BANKS.

| | |
|--|---|
| Amending the act establishing the Merchant's Bank of Newbern | 6 |
| Amending the act rechartering the Bank of Cape Fear | 6 |

COUNTIES AND COUNTY REGULATIONS.

| | |
|---|----|
| Concerning County Trustees and Treasurers of Public Buildings | 7 |
| To cede a portion of Rutherford to Cleaveland County | 8 |
| Establishing a new County by the name of Catawba | 8 |
| Supplemental to the act establishing the County of Catawba | 9 |
| To establish a new County by the name of McDowell | 14 |
| Supplemental to do | 15 |
| To establish a County by the name of Union | 20 |
| Supplemental to do | 21 |
| Supplemental to the act establishing the County of Caldwell | 26 |

COURTS, TIME OF HOLDING, &c.

| | |
|--|----|
| To alter the time of holding one of the terms of the Supreme Court | 29 |
| For the more speedy administration of justice—providing for special terms of Superior Courts | 30 |
| To arrange the 6th Judicial Circuit, and to appoint the times of holding Courts therein | 32 |
| Regulating the time of holding the County Courts of the 7th Judicial Circuit, | 34 |
| To alter the time of holding the Superior and County Courts of Carteret | 35 |

CONSTABLES.

| | |
|---|----|
| Amending the 4th Section of the Revised Statute concerning Constables | 36 |
|---|----|

CORONERS.

| | |
|--|----|
| To amend an act concerning Coroners, Rev. Stat. ch. 25, sec. 4 | 37 |
|--|----|

CORPORATIONS.

| | |
|---|----|
| Reviving and continuing in force the act to incorporate the Weldon Rail-Road Company, and to amend the same | 38 |
| Incorporating the Nantahalal Turnpike Company | 39 |
| Incorporating a Mutual Insurance Company in North Carolina | 42 |

ELECTIONS AND ELECTORAL DISTRICTS.

| | |
|--|----|
| To Amend the act concerning the mode of choosing Senators and Representatives in Congress | 47 |
| To amend the Rev. Stat. chap. 41, concerning Electors of President and Vice President, and to lay off the State into 11 Electoral Districts | 49 |
| Laying off the State into fifty Senatorial Districts | 50 |
| Apportioning the members of the House of Commons | 53 |
| Punishing the defaults of returning officers | 54 |
| Supplemental to, and amendatory of, the 53rd chap. Rev. Stat. and the 25 chap. of the Statute of 1840, relating to returns of votes for Governor | 55 |
| Concerning election returns, providing that Coroner shall act, when there is no Sheriff | 59 |
| To amend the Revised Statute, concerning Sheriffs | 60 |
| Pointing out the mode of electing field officers of Cavalry. | 60 |

ENTRIES AND GRANTS.

| | |
|---|----|
| Extending the time for perfecting titles to land heretofore entered | 62 |
| To amend the act of this session for ditto | 63 |
| Concerning the Swamp Lands | 64 |

EXECUTORS.

| | |
|----------------------|----|
| Concerning Executors | 66 |
|----------------------|----|

GUARDIAN AND WARD.

| | |
|---|----|
| To amend the 23rd sec. Rev. Stat. relating to Guardian and Ward | 67 |
|---|----|

INSPECTORS.

| | |
|--|----|
| To amend the Rev. Stat. chap. 59, for establishing public landings and places of inspection and for the appointment of Inspectors, &c. | 68 |
| To amend the 65th sec. 59th chap. Rev. Stat. for establishing public landings &c. | 69 |
| To alter the mode of inspecting Tobacco in the town of Fayetteville | 70 |

MISCELLANEOUS.

| | |
|---|----|
| Concerning the Public Printing | 71 |
| Amending the Rev. Stat. concerning Divorce and Alimony | 72 |
| Amending an act supplemental to an act to cede to the United States Bouge Banks | 73 |
| Extending the provisions of the 75th chap. Rev. Stat. and to amend the same | 74 |

| | |
|---|-----|
| Authorizing the Board of Public Buildings to procure office furniture | 75 |
| Amending an Act concerning the Seat of Government and the Public Buildings | 75 |
| To provide suitable Stationery and Candles, for the Executive Office, Departments of State, and for other purposes | 76 |
| Concerning prosecutions for perjury and subornation of perjury | 77 |
| Appointing Clerks and Masters Commissioners to take depositions | 78 |
| Repealing part of the 1st section of an act of last General Assembly to reduce into one the several acts concerning the appointment of Commissioners of Navigation and Pilotage, for the Cape Fear River, so as to restore the appointment to the County Court of New-Hanover | 79 |
| Concerning Commissioners of Navigation for the Port of Washington | 186 |
| For the relief of the Countess of Nash and Ashe | 191 |
| For the relief of the County of Yancy | 192 |
| Extending the time for registering grants mesne conveyances, powers of attorney, bills of sale, and deeds of gift | 80 |
| To preserve the natural benefits of the Pamlico Sound to the citizens of this State | 81 |
| For the better regulation of the Offices in the Capitol and for other purposes | 82 |
| To amend and suspend certain provisions of an act of 1839 concerning weights and measures, &c. | 83 |
| For the relief of the purchasers of Cherokee Lands | 85 |
| For the better regulation of the Militia of this State | 87 |
| To amend an act for the establishment and better regulation of common schools | 90 |
| Directing the investment of a portion of the Literary Fund, to preserve the faith and credit of the State from being tarnished by her endorsement of the bonds of the Wilmington and Raleigh Rail Road Company | 93 |

OFFICIAL BONDS.

| | |
|--|----|
| Concerning the bond of the Public Treasurer | 95 |
| To facilitate recoveries in suits on official bonds | 96 |
| To direct the reference of suits on the bonds of Sheriffs and other officers | 97 |

RALEIGH REGULATIONS.

| | |
|---|----|
| To invest the Intendant of Police of the City of Raleigh with the same powers and authorities, within that Corporation, as is exercised by Justices of the Peace, and for other purposes | 98 |
| To amend the act of 1792—'3, and the several subsequent acts, for the regulation of the City of Raleigh, and to authorize the Intendant of Police and the Commissioners of said City to levy a special or guard tax for said City | 99 |

ROADS.

| | |
|--|-----|
| In relation to the duties of Overseers of Roads | 101 |
| To amend the 10th section of the 104th chapter of the Revised Statutes | 102 |
| To amend the Charters of the several Rail Roads in this State | 103 |

STATE LIBRARY.

| | |
|----------------------------------|-----|
| In relation to the State Library | 104 |
|----------------------------------|-----|

UNIVERSITY.

- In addition to the Revised Statutes, entitled "an act concerning the University of North Carolina" 106

USURY.

- To amend the Revised Statute, for restraining the taking of excessive usury 107

RESOLUTIONS.

- In relation to the United States' Arsenal 109
 For the Clerk of the Senate to purchase a book 111
 Making disposition of Congressional Documents 111
 To authorize the printing of Colonial Documents relative to North Carolina 112
 In favor of the New York Historical Society 112
 Of Instruction 113
 Directing the Public Treasurer to carry to the credit of the Literary Fund the sum of \$22,917 97 115
 In favor of the State Librarian 115
 Authorizing the loan of the Literary Fund 116
 Relating to the President and Directors of the Literary Fund 116
 Concerning the payment of \$609 90 to the Literary Board 116
 Authorizing the purchase of a copy of Hatsell's Precedents and Observations on Parliamentary Law 117
 Concerning the Bonds of the Raleigh and Gaston Rail Road Company 117
 Relative to Stationery 118
 Relative to the Public Treasurer 119
 Relating to do do 119
 Directing the Board of Public Buildings to sell the old Railings around Union Square 120

PRIVATE ACTS.

ACADEMIES.

| | |
|---|-----|
| To incorporate the Trustees of the Ashborough Male Academy, in the county of Randolph | 121 |
| To incorporate Beaufort Male and Female Academy in the town of Beaufort | 122 |
| To incorporate Franklin Academy, in the county of Duplin | 123 |
| To incorporate the Henderson Academy, in the town of Henderson, in Granville county | 124 |
| To incorporate "Union Academy," in the county of Lenoir | 129 |
| To incorporate the Trustees of New Hope Academy, Edgecomb | 125 |
| To incorporate the Trustees of Oak Grove Academy, Anson | 126 |
| To incorporate the Trustees of Ridgeway Academy, Warren | 127 |
| To incorporate the Trustees of Swain's Academy, Tyrrell | 128 |
| To incorporate the Trustees of Midway Academy, Franklin | 130 |

CORPORATIONS.

MONUMENTAL.

| | |
|---|-----|
| To incorporate the Mecklenburg Monumental Association | 131 |
|---|-----|

FIRE COMPANIES.

| | |
|---|-----|
| To incorporate the Neptune Fire Company, in the town of Washington | 133 |
| To incorporate the Franklin Fire Company of Little Rockfish town, in the County of Cumberland | 134 |

LODGES.

| | |
|---|-----|
| To incorporate the Grand Lodge of the State of North Carolina, of the Independent Order of Odd Fellows. | 136 |
| To incorporate Cape Fear Lodge Number Two, of the Independent Order of Odd Fellows, in the town of Wilmington | 137 |
| To incorporate Columbus Lodge, number 102, Pittsborough, in Chatham county | 138 |

MANUFACTURING.

- To amend an act, entitled an act to incorporate the Salem Manufacturing Company 133
- To amend an act, passed at the session of the General Assembly in the year 1838-9, entitled "An act to incorporate the Rocky Mount Manufacturing company" 139

MILITIA—VOLUNTEERS.

- To incorporate the "Independent Iredell Blues," of the county of Iredell 140
- To incorporate the Fayetteville Riflemen, of the County of Cumberland 141
- To incorporate the Albemarle Blues, in the county of Pasquotank 142
- To incorporate the New-Hanover Rifle Corps 143
- To incorporate the Alfordsville Cavalry or Dragoons, in the county of Robeson 144
- To incorporate the Liberty Guards, in the county of Davidson 144
- To incorporate a Company of Cavalry in the county of Wake 145

ROADS.

- To amend an act, passed at the last session of the General Assembly, entitled "an act to authorize the making of a Turnpike Road from Gatesville to the Chowan River, and to incorporate a company for that purpose" 146
- To amend an act, passed by the General Assembly at the session of 1838-9 chapter 18th, entitled "an act to incorporate the Hiwassee Turnpike company" 147

TOWNS.

- To incorporate the town of Weldon, in the county of Halifax, and for the regulation thereof 148
- To revive an act, passed in the year seventeen hundred and seventy-nine, entitled "an act to lay off and establish a town near Chatham Court House, on the plantation and land formerly the property of Ambrose Edwards, now entered in the land office by Ambrose George, in said county" 152
- To incorporate Elizabethtown, in Bladen 153
- To incorporate Browntown, in Davidson 154
- To incorporate Franklinton, in Franklin 155
- To incorporate Shelby, in Cleveland 157
- Altering the time of collecting the corporation taxes in the town of Washington 158
- Establishing and incorporating a town at Onslow Court House, in the county of Onslow, by the name of Jacksonville 159

SWAMP LANDS.

- To incorporate the "Albemarle Swamp Land Company" 160

COURTS JURIES, &c.

- Granting an additional Court of Pleas and Quarter Sessions to the county of Cleveland 163

| | |
|--|-----|
| Repealing so much of an act entitled "an act concerning the Courts of Pleas and Quarter Sessions of Moore and Sampson counties," as relates to the county of Sampson | 163 |
| For the better regulation of the County Courts of Moore. | 164 |
| To change the location of the Court House of the county of Montgomery, and for other purposes | 164 |
| Amending second section of an act passed in eighteen hundred and thirty-five and six, entitled "an act directing the time of holding the Court of Pleas and Quarter Sessions in the county of Mecklenburg" | 167 |
| To compel the Justices of New Hanover county, to levy the county and Poor Taxes, at the first Court held after the first day of January, in each and every year and other purposes. | 167 |
| To alter the time of holding the Court of Pleas and Quarter Sessions for the county of Moore | 168 |
| Regulating the County Courts of Rowan and Iredell | 169 |
| To amend an act, entitled "an act to regulate the proceedings in the Court of Pleas and Quarter Sessions of Craven county," and for other purposes | 170 |
| Increasing the pay of Jurors for Orange county | 170 |
| Do. do Witnesses do | 171 |
| Restoring Jury trial to the County Courts of Anson | 172 |
| To authorize the County Court of Mecklenburg to appoint Inspectors of the elections at the April term of said court | 173 |

FISHERIES.

| | |
|--|-----|
| To authorize seven Justices of the Peace, for the county of Hyde, to allow county claims and to appoint election precincts | 173 |
| Concerning fishing with seines in Beaufort county | 174 |
| For the better regulation of the Fisheries on Salmon Creek, in Bertie county | 175 |

MILITIA.

| | |
|---|-----|
| To attach the 84th Regiment of North Carolina Militia to the 15th Brigade | 176 |
| To number the Regiment of Militia on the west side of French Broad River in Buncombe County | 177 |

MISCELLANEOUS.

| | |
|---|-----|
| To prevent the felling of Timber in the Rich Fork, Abbot's Creek, Hamby's Creek, Muddy Creek, Swearing Creek, and Western and Eastern Pott's Creeks, in Davidson county, and fishing with fire-light in Hamby's Creek in said county. | 177 |
| To prevent the falling of Timber in or otherwise obstructing the stream of First Broad River, in the county of Cleveland | 178 |
| To prevent the felling of Timber into Second Broad River, in the county of Rutherford | 179 |
| To keep up a bridge in Henderson county | 179 |
| To authorize the forming of a Fire Engine Company, in the town of Salem, Stokes county | 180 |

| | |
|--|-----|
| For the relief of purchasers of lands sold for taxes in the counties of Haywood and Henderson | 183 |
| To alter the time of selling Lands and Negroes in Montgomery county. | 184 |
| To repeal an act, passed in the year 1831, entitled "an act to abolish the Offices of County Trustee and Treasurer of Public Buildings in the counties of Richmond, Columbus, Sampson and Robeson" | 184 |
| To repeal an act, passed in the year eighteen hundred and thirty-five, entitled "an act to abolish the office of County Trustee in the county of Moore, and for other purposes" | 185 |
| To authorize John McBoyle and others, to keep floats or rafts of timber in Welche's Creek | 185 |
| Concerning the Commissioners of Navigation for the Port of Washington, and to amend the 88th chapter of the Revised Statutes | 186 |

ROADS AND RIVERS.

| | |
|---|-----|
| To alter and improve the road leading from Wilkesboro, up Mulberry Creek, across the Blue Ridge, into Ashe county | 189 |
| For the improvement of Lumber River, from Campbell's Bridge, to M'Lean's Turnpike | 190 |

SCHOOLS COMMON.

| | |
|---|-----|
| For the relief of the counties of Nash and Ashe | 191 |
| For the relief of the county of Yancey | 192 |

TOWNS.

| | |
|--|-----|
| Amending the 3rd section of an act, passed by the General Assembly of this State, at the session of 1834, entitled "an act to appoint Commissioners for the town of Clinton, and for other purposes" | 193 |
| Amending an act, entitled "an act for the better regulation of the town of Tarborough, in Edgecomb county" | 194 |
| For the better regulation of the town of Statesville | 195 |
| Contracting the limits of the town of Wadesboro', in Anson county | 197 |
| Amending the acts for the better regulation of the town of Williamston | 197 |
| For the better regulation of the town of Wilmington | 199 |
| For the better government and regulation of the town of Hertford in Perquimons county | 200 |

PRIVATE RESOLUTIONS.

| | |
|---|-----|
| In favor of John M. Morehead, Gov. of N. C. | 205 |
| Extending to John H. Wheeler, Treasurer elect, further time to give his official Bond | 205 |
| In favor of Charles Hinton | 206 |
| Do do do | 206 |
| Do do do | 207 |
| Do Robert Cochran | 207 |
| Do Morris, Tasker and Morris | 207 |
| Do Thomas J. Lemay | 208 |
| Do Bryan and Maitland | 208 |
| Rescinding a Resolution passed 1841, in favor of James Erwin | 208 |
| For the relief of the Clerks of the County Courts of Franklin and Nash | 209 |
| Directing the Secretary to record a grant to J. Montgomery of Bladen | 209 |
| In favor of George Simpson | 210 |
| In favor of Green Hill | 210 |
| In favor of Richard Stubblefield | 210 |
| In favor of Joshua Bullock | 211 |
| In favor of Jane Buchanan | 211 |
| In favor of Joseph M. Bogle, late Sheriff of Iredell | 211 |
| In favor of Charles Blanton, Sheriff of Cleaveland | 212 |
| In favor of Richard W. Long | 212 |
| In favor of Arthur S. Mooring, late sheriff of Martin county | 213 |
| In favor of William H. Holloman | 213 |
| In favor of Charles Frazier | 213 |
| To pay Joseph A. King, thirty-eight dollars | 214 |
| In favor of John R. Harrison | 214 |
| In favor of Zaccheus Slade | 214 |
| In favor of James W. Satchwell, Aquilla Davis and Joseph Sawyer | 215 |
| In favor of S. Burns | 215 |
| In favor of John M. Mason | 215 |
| In favor of J. N. Crosby | 215 |

| | |
|---|-----|
| Authorizing J. Simmons and A. Bryan to obtain grants on certain entries made in Brunswick county | 216 |
| In favor of the Door-keepers | 216 |
| To pay Green Hill forty-four dollars | 216 |

REPORT

OF THE

PUBLIC TREASURER,

ON THE

STATE OF THE FINANCES

OF

NORTH CAROLINA,

TRANSMITTED TO THE LEGISLATURE,

ACCORDING TO ACT OF ASSEMBLY.

TREASURY DEPARTMENT,
November 23, 1842.

SIR:

I have the honor herewith to transmit to you, to be laid before the General Assembly, a Report, prepared in obedience to an Act of Assembly, entitled "An Act concerning the Treasurer of the State."

I have the honor to be,

With very great respect,

Sir,

Your obedient servant,

CHARLES L. HINTON.

THE HONORABLE THE SPEAKER
OF THE HOUSE OF COMMONS

REPORT.

TREASURY DEPARTMENT,
Raleigh, Nov. 21, 1812.

TO THE HONORABLE,
The General Assembly of the State of North Carolina :

In obedience to the directions of an Act of the General Assembly, passed at the session of 1827, entitled "an Act concerning the Public Treasurer," the Public Treasurer respectfully submits the following Report :

I.—PUBLIC REVENUE AND EXPENDITURES.

| | | |
|---|----------|-------------|
| The balance of cash in th Public Treasury, on the 1st day of Nov. 1840, was | | \$22,841 31 |
| Cash received of Gov. Dudley, for sales of Revised Statutes, | \$514 83 | |
| “ Received of Gov. Morehead for sales of Revised Statutes, | 62 50 | |
| | <hr/> | 577 33 |
| “ Received of E. H. Wingate, Cashier, dividend No. 63, of 3 per cent. on 10 shares of Stock in the Bank of Cape Fear, | 30 00 | |
| “ Received of E. H. Wingate, Cashier, dividend No. 64, of 3 per cent. on 10 shares of Stock in the Bank of Cape Fear, | 30 00 | |
| “ Received of E. H. Wingate, Cashier, dividend, No. 65, of 2½ per cent. on 10 shares of Stock in the Bank of Cape Fear, | 25 00 | |
| | <hr/> | 85 00 |
| “ Received of William Thompson, for purchase of materials belonging to Public Buildings, | | 80 00 |
| “ Received of Thomas Gorman, for purchase of materials belonging to Public Buildings, | | 15 30 |
| “ Received of Joshua Roberts, Trea- | | |

| | | |
|--|-----------|----------|
| surer of Buncombe Turnpike Company in part of dividends due the State, | | 500 00 |
| “ Received of Gen. Saunders, for Note given by W. Thompson, for purchase of Lot No. 3, sold as the property of the late Treasurer Haywood, | | 233 42 |
| “ Received of W. W. Clark, Cashier, as Tax of 25 cents, on 2250 shares of Stock in the Merchant's Bank of Newbern, 1841, | 562 50 | |
| Do. Do. 1842, | 562 50 | |
| | <hr/> | 1,125 00 |
| “ Received of C. Dewey, Cashier, as Tax of 25 cents on 10,000 shares of Stock held by individuals in the Bank of the State, 1841, | 2,250 00 | |
| Do. Do. 1842, | 2,250 00 | |
| | <hr/> | 4,500 00 |
| “ Received of J. Hill, Cashier, Tax of 25 cents, on 9,556 shares of Stock, held by individuals in the Bank of Cape Fear, 1841, | 2,389 00 | |
| Do. Do. 1842, | 2,389 00 | |
| | <hr/> | 4,778 00 |
| “ Received of R. Blount, for 2 volumes of Revised Statutes, sold by the order of the Governor, | | 10 00 |
| “ Received of R. M. G. Moore, Clerk of the County Court of Hyde, being amount paid in his office by Banister and Badget, Commissioners of wrecks, | | 8 95 |
| “ Ben. Simmons, Clerk of the County Court of Currituck, being amount paid in his office by Willis Gallop \$43 77, W. Woodsides \$57 58, Commissioners of wrecks, | | 97 55 |
| “ R. W. Ashton, being amount collected by him on accounts due the State for rock and other materials. | | 658 29 |
| “ Received of George Little and others, being amount of Note due the State, | | 922 94 |
| “ Sheriffs, for Public Tax for 1840, | 78,562 52 | |

| | | |
|--|-----------|------------|
| Cash received for additional returns for 1840, | 245 52 | |
| | <hr/> | 78,808 04 |
| " Received of Sheriffs for settling Public Tax for 1841, | 79,054 65 | |
| " Received for additional returns for 1841, | 56 16 | |
| | <hr/> | 79,110 81 |
| Making an aggregate of | | 171,510 63 |
| Which added to the balance of Cash on hand the 1st of November, 1840, makes the sum of | | 194,351 94 |

CR.

The expenditures from the public Fund for the same period, that is from the 31st of October, 1840, until the 1st of November, 1842, consist of the following items:

| | | |
|--|-----------|-----------|
| General Assembly, | | 37,058 56 |
| Judiciary, 1841, | 26,527 09 | |
| Do. 1842, | 28,589 15 | |
| | <hr/> | 55,116 24 |
| Electoral Election, | | 1,410 39 |
| Weights and Measures, | | 1,135 47 |
| Election of President and Vice President, | | 338 80 |
| Balance for claims due for rebuilding Capitol, | | 31,531 48 |
| Contingencies for 1841, | 6,282 51 | |
| Do. 1842, | 1,249 66 | |
| | <hr/> | 7,532 17 |
| Repairs to Governor's House, including \$1000 appropriated for Furniture, as per resolution of last Legislature, | | 2,311 31 |
| Governor's Election, | | 1,222 53 |
| Executive Department, 1841, | 2,300 00 | |
| Do. Do. 1842, | 2,300 00 | |
| | <hr/> | 4,600 00 |
| Treasury Do. 1841, | 2,000 00 | |
| Do. Do. 1842, | 2,000 00 | |
| | <hr/> | 4,000 00 |
| State Do. 1841, | 868 75 | |
| Do. Do. 1842, | 875 00 | |
| | <hr/> | 1,743 75 |

| | | |
|---|----------|----------|
| Comptroller's Department, 1841, | 1,000 00 | |
| Do. Do. 1842, | 1,000 00 | |
| | | 2,000 00 |
| Council of State, 1841, | 81 80 | |
| Do. Do. 1842, | 55 80 | |
| | | 137 60 |
| Public Printing, 1841, | 3,670 51 | |
| Do. Do. 1842, | 700 38 | |
| | | 4,370 89 |
| Adjutant General of the State, 1841, | 197 67 | |
| Do. Do. 1842, | 200 00 | |
| | | 397 67 |
| Treasury notes burnt, | | 355 45 |
| Post Office, 1841, | 558 99 | |
| Do. Do. 1842, | 474 91 | |
| | | 1,033 90 |
| Superintendent of Public Buildings, 1841, | 138 33 | |
| Do. Do. 1842, | 247 50 | |
| | | 385 83 |
| Congressional Election, | | 595 78 |
| Sheriff's settling public Tax for 1841, | 1,134 31 | |
| Do. Do. 1842, | 1,165 95 | |
| | | 2,300 26 |
| Public Library, | | 4,542 86 |
| Senatorial Elections, | | 205 34 |
| Pensioners, 1841, | 800 50 | |
| Do. 1842, | 222 50 | |
| | | 1,023 00 |

Making an aggregate of 165,349 28
 Which deducted from the amount of receipts, leaves a balance in the hands of the Public Treasurer, on the 1st day of November, 1842, of \$29,002 66

II — LITERARY FUND:

The balance of Cash in the hands of the Public Treasurer, as Treasurer of the Literary Board, on the 1st of Nov. 1840, as reported to the Legislature, \$78,007 06
 The receipts at the Treasury, of moneys belonging to this fund, for the two last fiscal years, ending the 31st of October, 1842, are as follows:
 Cash received for entries of vacant land, in 1841, 5,761 21

| | | |
|--|-----------|-----------|
| Cash received for entries of vacant lands in 1842, | 2,328 83 | |
| | | 8,090 04 |
| " Received of Andrew Joyner, President of the Roanoke Navigation Company, dividend No. 8, 1841, | 1,000 00 | |
| Cash received as dividend No. 9, 1841, | 1,250 00 | |
| " Do, do. No. 10, 1842, | 875 00 | |
| | | 3,125 00 |
| " Received for Tax on sales at Auction, 1841, | 376 11 | |
| Do. do. do. 1842, | 489 24 | |
| | | 865 35 |
| " Received of D. W. Stone, the unexpended balance of Cash advanced to defray the Expenses of the Literary Board to visit Swamp Lands in Hyde County, | | 84 66 |
| " Received as principal on loans made by Literary Board, in 1841, | 28,294 44 | |
| Do. do. 1842, | 33,404 41 | |
| | | 61,698 85 |
| " Received as Interest on loans made by Literary Board, 1841, | 6,426 61 | |
| Do. do. 1842, | 7,893 09 | |
| | | 14,319 70 |
| " Received as interest on loans by Board of Internal Imp. 1841, | 1,510 52 | |
| " Do do 1842, | 2,496 39 | |
| | | 4,006 91 |
| " Received of C. Dewey, Cashier, dividend No. 11, of 3 per cent. on 5000 shares of stock held by individuals, in the Bank of the State, in 1841, | 15,000 00 | |
| " Received as dividend No. 12, of 3½ per cent. 1842, | 16,250 00 | |
| " Received as dividend No. 13, of 3 per cent. 1842, | 15,000 00 | |
| " Received as dividend No. 14, of 3½ per cent. 1842, | 16,250 00 | |
| | | 62,500 00 |
| " Received of E. H. Wingate, Cashier, dividend No. 63, of 3 per cent. on 5322 shares of stock in the Bank of Cape Fear, 1841, | 15,966 00 | |
| " Received of D. W. Stone, Cashier, | | |

dividend No. 64, of 3 per cent in the
Bank of Cape Fear, 1841, 15,966 00
Received as dividend No. 65, at 2½
per cent. 1842, 13,305 00
No dividend declared by this Bank,
July, 1842.

Received of Gov. Morehead, as interest on Bonds of the Raleigh and

Gaston R. R. Co., 1841, 8,400 00

Do do 1842, 4,200 00

12,600 00

Received as interest on Bonds of the
Wilmington and Raleigh Rail Road
Company, 1841, 2,550 00

Do do 1842, 2,630 00

5,180 00

Received as Tax on Retailers of
Spirits, 1841, 2,777 47

Do do 1842, 2,451 52

5,228 99

Making an aggregate of \$222,936 50

Which, added to the balance of Cash on
hand, on the 1st of Nov. 1840, makes
the sum of 300,943 56

CR.

The disbursements of the Literary Fund
for the same period, are as follows;

Cash paid for the support of Common
Schools, 1841, \$2,836 12

Do do 1842, 65,277 14

98,113 26

Paid for expenses of Literary Fund

1841, 1,364 83

Do do do 1842, 1,209 27

2,574 10

Paid C. C. Battle, to pay for Farm-
er's Register, 10 00

Paid U. W. Miller, Attorney, for
fees due on suits brought by Litera-
ry Board, 55 00

Paid G. W. Haywood, for do, 10 00

Paid A. J. Battle, amount loaned

| | | |
|---|-----------|-------------|
| for Wake Forest Institute, by the Literary Board, as by resolution of the Legislature, | | 10,000 00 |
| Cash paid for printing for Lit. Board, | | 360 74 |
| " Paid for Loans by Lit. Board, | | 819 90 |
| " Paid W. F. Gwynn, principal En- gineer, 1841, | 2,529 17 | |
| " Do do do 1842, | 625 00 | |
| | <hr/> | 3,154 17 |
| " Paid R. L. Myers, Assistant En- gineer, 1841, | 1,500 00 | |
| " Do do 1842, | 1,728 18 | |
| | <hr/> | 3,228 18 |
| " Paid W. R. Mumford, Ass't. En. | | 3,026 40 |
| " Paid Haws & Whitehead, contrac- tors for draining Swamp Lands, | | |
| | 1841, | 24,811 37 |
| " Do do 1842, | 26,657 50 | |
| | <hr/> | 51,468 87 |
| " Paid Everett, Dickinson, & Har- man, contractors do | | 14,646 88 |
| " Paid J. Everett, do | | 3,000 00 |
| " Paid Major Clark, do | | 1,295 70 |
| " Paid for bonds of the Raleigh and Gaston R. R. Co. | | 22,764 34 |
| " Paid for bonds of the Wilmington and Raleigh R. R. Co. | | 1,800 00 |
| " Paid amount loaned from the Com- mon School Fund, not distributed, | | 9,070 90 |
| " Paid A. C. Dickinson, contractor For draining Swamp Lands, | | 19,326 82 |
| " Paid H. Martin, for constructing Bridges and making Roads in Swamp Lands, | | 220 00 |
| | <hr/> | |
| Making an aggregate of | | 242,945 26 |
| Which deducted from the receipts, leaves a balalance in the hands of the Public Treasurer, as Treasurer of the Lit'y Fund on the 1st Nov. 1842, of | | \$57,998 30 |

III.—FUND FOR INTERNAL IMPROVEMENT.

The receipts at the Treasury Department
on account of the Fund for Internal
Improvement, for the two last fiscal
years, that is, from the 31st of Oct.
1840, to 1st Nov. 1842, are as follows :

| | | | |
|---|------------------------------------|----------|-------------|
| Cash received of T. L. Clingman, Att. | | | |
| am't collected on Cherokee bonds, | | | |
| the sale of 1820-21-22-23-24, | | | |
| | 1841, | 2,588 08 | |
| Do | do 1842, | 470 00 | |
| | | <hr/> | 3,058 08 |
| " | Received of J. W. Guinn, do | | 849 00 |
| " | Received of Bank of Cape Fear, | | |
| | dividend No. 63, of 3 per cent on | | |
| | 112 shares of stock belonging to | | |
| | this fund. | | 336 00 |
| " | Do No. 64, 3 per cent, 1841, | 336 00 | |
| " | Do No. 65, 2½ per cent, 1842, | 280 00 | |
| | | <hr/> | 952 00 |
| " | Received on sundry payments on | | |
| | Cherokee Bonds, 1841, | | 7,315 31 |
| " | Do do 1842, | 672 62 | |
| | | <hr/> | 7,987 93 |
| " | Received of Jacob Siler, agent for | | |
| | collecting Cherokee Bonds, 1841, | | 1,536 34 |
| " | Do do 1842, | 3,193 45 | |
| | | <hr/> | 4,729 79 |
| " | Received of Gov. Morehead, Pre- | | |
| | sident ex officio, as principal on | | |
| | loans by board of Internal Im- | | |
| | provement, 1841, | | 3,329 21 |
| " | Do do 1842, | 3,759 10 | |
| | | <hr/> | 7,088 31 |
| Making an aggregate of | | | \$24,665 11 |
| CR. | | | |
| Balance due Public Treasurer as Treas- | | | |
| urer of the Fund for Internal Im- | | | |
| provement, on the 1st of November | | | |
| 1840, (borrowed from the Literary | | | |
| Fund,) was | | | 2,172 73 |
| The expenditures of the two last fiscal | | | |
| years are as follows: | | | |
| Paid expenses of Board for 1841, | | | 274 75 |
| " | do do 1842, | 144 47 | |
| | | <hr/> | 419 22 |
| " | John Smith, as commissioner of | | |
| | Nantahala mountain road, | | 74 00 |
| " | S. Birdsall, Clerk to Board, 1841, | | 222 00 |
| " | do do 1842, | 156 00 | |
| | | <hr/> | 378 00 |

| | |
|--------------------------------------|----------|
| Paid E. H. Wingate, Cashier, as dis- | |
| count on \$415 Georgia notes, | 41 50 |
| " W. F. Gwynn, Engineer, balance | |
| for services in surveying Nag's Head | 130 00 |
| " Isaac T. Avery, by authority of | |
| " Commissioners to lay off a Road | |
| from Yancy county to Turkey | |
| Cove, in Burke, | 1,000 00 |

Making an aggregate of 4,235 45
 Which deducted from the receipts, leave
 a balance in the hands of the Public
 Treasurer, as Treasurer of the Fund
 of Internal Improvement, on the 1st
 of November, 1842, of \$20,429 66

All the disbursements made at the Treasury Department during the two last fiscal years, it is believed, are sustained by proper and appropriate vouchers, which may be found on file in the Comptroller's Office.

RECAPITULATION.

The foregoing statements show the balance of the different Funds on the 1st of November, 1842, viz.

| | |
|-----------------------------------|--------------|
| Amount as Public Treasurer, | 29,002 66 |
| Do as Treasurer of Literary Fund, | 57,998 30 |
| Do as Treasurer Fund of Internal | |
| Improvement, | 20,429 66 |
| | <hr/> |
| | 78,427 96 |
| | <hr/> |
| Making an aggregate amount of | \$107,430 62 |

With which the Public Treasurer, as such, and Treasurer of the Literary and Internal Improvement Funds, stands charged on the books of this department, and for which he is therefore accountable on the 1st day of November 1842.

The foregoing amount is disposed of as the law directs in the following manner, to wit:

| | |
|-------------------------------------|--------------|
| Deposited in the Bank of the State, | \$68,663 47 |
| Do do Cape Fear, | 37,761 01 |
| | <hr/> |
| | \$106,424 48 |
| Cash on hand in Bank Notes, | 5 00 |
| Treasury change, | 149 64 |
| Silver, | 5 45 |

Vouchers,

846 05

1,006 14

107,430 62

Such Bank exhibits as have been received at the Department for the two last fiscal years are annexed, and such others as may be received during the Session of the Legislature will be forthwith communicated.

The Statements accompanying this report, will be found to contain all the information on the different subjects, which is required to be furnished by the act of Assembly, regulating the Treasury Department.

That portion of the public revenue accounted for by the Sheriffs, has been, as usual, in every instance promptly paid in.

Respectfully submitted.

C. L. HINTON, *Public Treasurer.*

STATEMENT A.

Statement of Cash received in the Treasury, from the 31st day of October, 1840, to the 1st day of November, 1842, on additional returns of Taxes.

| SHERIFFS. | COUNTIES. | WHEN DUE. | AM'T PAID. |
|----------------------|-------------|------------|------------|
| William D. Rascoe, | Chowan | 1838-39 | 11 25 |
| William W. Brickell, | Halifax, | 1839 | 2 26 |
| A. S. Mooring, | Martin | " | 23 05 |
| James Quinn, | Lincoln | " | 27 95 |
| John M. Smith, | Davidson | " | 28 95 |
| E. J. Peebles, | Northampton | 1837-38-39 | 37 67 |
| W. W. Bryant | Nash | 1839 | 1 14 |
| P. B. Burt, | Wake | 1838-39 | 83 37 |
| Neill Mc Alpin, | Robeson | 1838-39 | 9 21 |
| Edward McGee, | Cherokee | 1839 | 2 47 |
| Eli McKee, | Macon | " | 18 20 |
| William Thompson, | Wayne | 1840 | 2 75 |
| John Harman, | Chatham | 1838-39 | 13 66 |
| William D. Rascoe, | Chowan | 1839-40 | 9 92 |
| Alexander Kelly, | Moore | 1840 | 16 73 |
| E. J. Peebles, | Northampton | 1840-41 | 13 10 |
| | | | \$301 68 |

STATEMENT B.

Statement of Treasury Notes issued, as reported to the Comptroller, and put in circulation according to Acts of Assembly of 1814-16-23.

| | |
|---|-------------|
| Amount issued under the Act of 1814 | \$82,000 00 |
| Do do 1816 | 80,000 00 |
| Do do 1823 | 100,000 00 |
| | 262,000 00 |
| Amount burnt by Committee of Finance, as per Comptroller's Report, | 212,943 17 |
| | 49,056 83 |
| Deduct amount in the vault of the Treasury, | 149 64 |
| Balance un redeemed, | \$48,907 19 |

STATEMENT C.

Statement of the nett amount of the different branches of Revenue for the years 1841-42.

| BRANCHES OF REVENUE. | AMOUNT. | AGGREGATE. |
|---------------------------------------|----------|------------|
| 1841 | | |
| Tax on Land | 29334 62 | |
| " on Town Property | 2311 81 | |
| " on Polls | 30261 12 | |
| " Stud Horses | 2473 10 | |
| " on Gates | 192 70 | |
| " on Stores | 8504 20 | |
| " on Pedlars | 2119 39 | |
| " on Artificial Curiosities | 817 80 | |
| " on Natural do | 183 30 | |
| " on Billiard Tables | 2350 00 | |
| " on Panalties | 200 00 | |
| 1842 | | 78808 04 |
| Tax on Land | 29106 42 | |
| " on Town Property | 2314 08 | |
| " on Polls | 30553 38 | |
| " on Stud Horses | 2252 98 | |
| " on Gates | 183 30 | |
| " on Stores | 8238 19 | |
| " on Pedlars | 2951 60 | |
| " on Artificial Curiosities | 1212 60 | |
| " on Natural do | 211 50 | |
| " on Negro Traders | 150 40 | |
| " on Billiard Tables | 1880 00 | |
| " on Additional Returns | 56 16 | |
| | | 79110 81 |
| Aggregate amount of public Tax 1841-2 | | 157918 85 |
| BANK TAX. | | |
| Bank of the State | 4500 00 | |
| Bank of Cape Fear | 4778 00 | |
| Merchants' Bank of Newbern | 1125 00 | |
| | | 10403 00 |
| DIVIDENDS. | | |
| Bank of Cape Fear | 85 00 | |
| Buncombe Turnpike Company | 500 00 | |
| | | 585 00 |
| Sale of Land near Raleigh | 233 42 | |
| Commissioners of Wrecks | 106 50 | |
| Sale of Revised Statutes | 587 33 | |

STATEMENT (C) CONTINUED.

| | | |
|---|--------|------------------|
| R. W. Ashton, Agent | | |
| Wm. Thompson and T. Gorman. | 753 59 | |
| George Little, Lot of Land | 922 94 | |
| | <hr/> | 2603 78 |
| Aggregate am't rec'd on account pub. Fund | | <hr/> 171,510 63 |

LITERARY FUND.

DIVIDENDS.

| | | |
|---|----------|------------------|
| Bank of the State of North Carolina | 62500 00 | |
| Bank of Cape Fear | 45237 00 | |
| Roanoke Navigation Company | 3125 00 | |
| | <hr/> | 110,862 00 |
| Principal on loans by Literary Board | | 61,698 85 |
| Interest do do | 14319 71 | |
| Interest on loan by Board Int'l Imp. | 4006 90 | |
| | <hr/> | 18,326 61 |
| Interest on Bonds of the Ral. & Gas. R. R. | 12600 00 | |
| Interest on do Wilmington and Ral. do | 5180 00 | |
| | <hr/> | 17,780 00 |
| Entries of Vacant Land | 8090 04 | |
| Tax on Auction Sales | 865 35 | |
| Tax on Retailers of Spirits | 5228 99 | |
| Cash drawn by Lit. Board for expenses re-funded | 84 66 | |
| | <hr/> | 14,269 04 |
| Aggregate am't rec'd on ac. Lit. Fund | | <hr/> 222,936 50 |

INTERNAL IMPROVEMENT FUND.

| | | |
|--|---------|-----------------|
| Cherokee Bonds by J. W. Guinn | 849 00 | |
| do do Jacob Siler | 4729 79 | |
| do do T. L. Clingman | 3058 08 | |
| do do paid in Treasury Office | 7987 93 | |
| Dividends of Bank Stock | 952 00 | |
| Principal on loans by Board Int. Imp. | 7088 31 | |
| | <hr/> | 24,665 11 |
| Aggregate amount received on ac't Fund | | |
| Internal Improvement | | <hr/> 24,665 11 |

BANK STOCK.

| | |
|---|-----------|
| Shares of Stock in the Bank of the State, held by the President and Directors of the Literary Fund | 5,000 00 |
| Shares of Stock in the Bank of Cape Fear, held by the President and Directors of the Literary Fund, | 5,322 00 |
| Shares of Stock in the Bank of Cape-Fear, held by the State of North Carolina, | 10 00 |
| Shares of Stock in the Bank of Cape Fear, held by the State, dividends appropriated to Fund for Internal Improvement, | 112 00 |
| No. of Shares, | 10,444 00 |

STATEMENT D.

Statement of monies paid into the Public Treasury on Cherokee Bonds, on sales of 1836 and 1838, from Nov. 1 1840, to Nov. 1, 1842.

| | | | |
|---------------------------|--------|--------------------|----------------|
| George Dukey | 13 06 | Samuel Bryson | 7 45 |
| Matthew Davis, | 3 67 | John Wilson | 8 26 |
| Michael Wikle, | 11 15 | Thomas Kimsey | 10 50 |
| J. B. Trammel, | 12 00 | Richard Wilson | 17 59 |
| John Clure, | 6 53 | Henry Wilson | 5 84 |
| Thomas M. Angel, | 3 49 | Allen Ledford | 12 24 |
| W. W. Piercy | 5 64 | Francis Ward | 5 57 |
| Alfred Angel, | 11 13 | Ephraim Ammins | 2 11 |
| Hannah Fortenbury, | 19 45 | William Mason | 13 66 |
| Hugh White, | 23 30 | Thomas Angel | 4 74 |
| Ephraim Ammins, | 27 87 | James Walker | 44 66 |
| Thomas P. Moore, | 18 10 | Thomas Kimsey | 3 62 |
| Fred. Ruby, | 40 00 | Henry Wilson | 1 16 |
| Susannah Truitt, | 5 00 | Jesse F. Paget | 11 57 |
| John Kimsey, | 8 05 | Do do | 11 57 |
| Logan Biny, | 12 82 | James Truitt | 11 80 |
| Elizabeth Sanders, | 22 48 | James Angel | 81 71 |
| William Ledford, | 70 30 | Do do | 38 51 |
| William Mason, | 3 08 | Z. J. Thomas | 24 00 |
| Waller Sorrel, | 11 73 | M. Wickle | 50 00 |
| Samuel Wikle, | 9 91 | Joseph Hicks | 20 00 |
| do do | 11 60 | William Patton | 16 45 |
| Samuel Bryson | 10 59 | George F. Cales | 41 82 |
| James Walker | 30 34 | Noah Hill | 23 52 |
| Martin Hurst | 99 34 | Hugh Rogers | 17 60 |
| James Ledford | 12 38 | Alson Picklesimer, | 6 34 |
| David Ledford | 37 62 | Jesse Wilson | 7 33 |
| Thomas J. Portell | 11 76 | Do do | 6 93 |
| James Conly | 11 32 | Moses Addington | 11 64 |
| William Tatham | 13 41 | Drury Logan | 4 62 |
| William Conly | 3 59 | Moses Addington | 11 10 |
| J. L. Dilliard and others | 108 00 | | |
| | | | <hr/> 1,114 48 |

SALES OF 1838.

| | | | |
|------------------|----------|-------------------|-------|
| Nelson A Strange | 1,300 00 | George W Halcombe | 50 00 |
| Lazarus Poteet | 22 56 | Isaac Burnett | 6 38 |

STATEMENT (D) CONTINUED.

| | | | |
|--------------------|----------|-------------------------|------------|
| Elisha Weeks | 11 33 | Henry Penland | 58 07 |
| Samuel Norris | 43 97 | Amos Curtis | 117 17 |
| Daniel West | 367 49 | Moses Curtis | 64 00 |
| Jacob Baker | 350 00 | Martin Baker | 40 25 |
| George Hampton | 108 62 | George Coleman | 153 92 |
| Harvey Penland | 6 29 | James Whitaker | 135 00 |
| William R. McGehee | 44 53 | John A. Powell | 400 00 |
| Daniel West | 13 08 | | |
| James Whitaker | 64 00 | | \$6,760 95 |
| Abraham Harshaw | 630 00 | J L Dilliard and others | 108 00 |
| Do do | 842 00 | R S Hunter | 4 00 |
| John Sudderth | 1,183 42 | | |
| George Penland | 75 35 | | \$112 00 |
| D Blake | 158 02 | | |
| John Sudderth | 514 60 | | |

STATEMENT E.

Statement of Moneys paid on Cherokee Bonds of the sale of 1836 and 1838, as per returns of Jacob Siler, Agent of the State, to receive payment on Cherokee Bonds.

| | | | |
|--------------------|-------|------------------|--------|
| John Gibbs | 4 47 | Hugh White | 14 00 |
| do do | 4 23 | James Walker | 35 00 |
| do do | 5 83 | Mason McLeod | 19 41 |
| do do | 5 52 | Philip Guyer | 122 78 |
| do do | 11 34 | Thomas Rogers | 10 00 |
| do do | 10 73 | Hinson Queen | 19 62 |
| David Ledford | 21 79 | Merritt B Strain | 92 10 |
| John Conly | 13 94 | John Cockerham | 5 89 |
| do do | 3 25 | do | 9 40 |
| Thomas Monteath | 4 00 | Joseph Brandle | 14 83 |
| John Dills | 8 56 | James Walker | 10 03 |
| Ephraim Ammons | 5 20 | Peter Miller | 55 |
| Fred. Ruby | 31 00 | Margaret Bryson | 47 |
| Peter Miller | 5 18 | Osborne Tilly | 3 87 |
| do do | 2 56 | Ephraim Ashe | 7 73 |
| Mark Burwell | 13 54 | James Cockerham | 14 35 |
| William Moss | 14 24 | Philip Guyer | 98 11 |
| Archibald Morrison | 14 05 | Ute Sherrel | 12 56 |
| do do | 5 93 | do do | 35 82 |
| John Crisp | 5 57 | Ethel Hull | 3 67 |
| Ephraim Ashe | 9 60 | Nathan Taber | 30 98 |
| Amos Ashe | 13 80 | Ethel Hill | 6 97 |
| Margaret Boylan | 4 00 | John Johnson | 13 33 |
| Walter Jeffries | 5 00 | Philip Guyer | 29 00 |
| Christopher Setser | 20 00 | William Peak | 10 00 |
| Peter Miller | 3 61 | Hiram Gibson | 4 99 |
| William Poteet | 35 00 | Samuel McCoy | 18 52 |
| Philip Guyer | 40 00 | | |
| | | | 965 97 |

SALE OF 1838.

| | | | |
|--------------------|---------|-------------------|-----------|
| George Hampton | 60 00 | John Ledford | 6 75 |
| Bayley Staudridge | 63 00 | Joseph Brandle | 14 21 |
| Ephraim Ammons | 4 80 | Madison Curtis | 33 47 |
| Samuel Tate | 1200 00 | Daniel Dayenport | 115 92 |
| James Ellis | 51 00 | Sam H Johnson | 25 60 |
| Gideon F. Rose | 39 60 | H P Grinnell | 32 20 |
| Enos Shields | 49 00 | J F Abernathy | 10 00 |
| John Wood | 40 00 | Joseph Brandle | 27 00 |
| Madison Curty | 25 00 | David Davenport | 250 00 |
| George Coleman | 53 18 | Jason Hunter | 1 82 |
| Amos Brown | 244 85 | G F Rose | 66 15 |
| Alexander Moss | 93 45 | Nelson Burgin | 37 90 |
| Ephraim Ammons | 40 00 | Riley Martin | 10 80 |
| Samuel Smith | 54 00 | Enos Shields | 15 31 |
| Jason Ledford | 84 06 | Samuel Norris | 10 00 |
| Jacob H. Abernathy | 55 00 | Moses Curtis | 115 90 |
| Benj. S Brittain | 108 04 | Amos Curtis | 100 00 |
| Henry Penland | 122 65 | Jacob F Abernathy | 36 00 |
| Jesse Kirby | 71 04 | James D Franks | 62 21 |
| Samuel Tate | 800 00 | Gideon F Rose | 10 00 |
| Jacob F. Abernathy | 24 30 | | |
| | | | 84,264 30 |

STATEMENT F.

Statement of insolvents allowed by the Comptroller to the Sheriffs, in their settlement of the Taxes of 1840-41.

| SHERIFFS. | COUNTIES. | NO. OF POLLS. | AMOUNT. |
|-----------------------|--------------|------------------|---------|
| 1840 | | | |
| Abner Carmichael, | Wilkes, | 66 | 13 20 |
| Nelson G. Howell, | Haywood, | 48 | 9 60 |
| Leslie Gilliam, | Granville, | 110 | 22 00 |
| Francis McGehee, | Cherokee, | 24 | 4 80 |
| Joseph S. Jones, | Warren, | 72 | 14 40 |
| Isaac White, | Randolph, | 13 | 2 60 |
| John W. Taylor, | Green, | 45 | 9 00 |
| William Thompson, | Wayne, | 54 | 10 80 |
| Samuel Terry, | Richmond, | 55 | 11 00 |
| William S. Ballinger, | Johnston, | 69 | 13 80 |
| William D. Rascoe, | Chowan, | 16 | 3 20 |
| William W. Brickell, | Halifax, | 40 | 8 00 |
| George Dill, | Carteret, | 27 | 5 40 |
| John Harman, | Chatham, | 81 | 16 20 |
| Isaac Baxter, | Currituck, | 7 | 1 40 |
| Evander McIntosh, | Moore, | 21 | 4 20 |
| Richard G. Cowper, | Hertford, | 42 | 8 40 |
| Charles Blanton, | Cleaveland, | 32 | 6 40 |
| James Quinn, | Lincoln, | 5 | 1 00 |
| James W. Carson, | Rutherford, | 65 | 13 00 |
| Salathiel Stone, | Stokes, | 223 | 44 60 |
| William D. Petway, | Edgecomb, | 43 | 8 60 |
| James W. Doak, | Guilford, | 106 | 21 20 |
| Martin Roberts, | Rockingham, | 2 | 40 |
| John B. Dawson | Craven | 98 | 19 60 |
| Thomas Merry | Camden | 28 | 5 60 |
| John M. Smith, | Davidson, | 32 | 6 40 |
| Joshua A. Pool, | Pasquotank, | 11 | 3 20 |
| Nathan Bagley, | Perquimons, | 152 | 30 40 |
| E. J. Peebles, | Northampton, | 97 | 19 40 |
| Thomas Wilson, | Yancey, | 54 | 10 80 |
| Gustin Perry, | Franklin, | 111 | 22 20 |
| Ben. M. Selby, | Pitt | 61 | 12 20 |
| Joseph S. Bogle, | Iredell | 116 | 23 20 |
| Neill McAlpin, | Robeson, | 57 | 11 40 |
| Henry G. Hampton, | Surry, | 100 | 20 00 |
| John H. Hardie, | Rowan | 76 | 15 20 |
| Alexander Johnson, | Cumberland, | 29 | 5 80 |

STATEMENT (F) CONTINUED.

| SHERIFFS. | COUNTIES. | NO. OF POLLS. | AMOUNT. |
|----------------------|-------------|------------------|----------|
| Young H Allen | Anson, | 68 | 13 60 |
| Thomas Foster, | Davie, | 48 | 9 60 |
| Hardy Walters | Person, | 31 | 6 20 |
| Owen Fennell, | New Hanover | 43 | 8 60 |
| James C. Turrentine, | Orange | 99 | 19 80 |
| Robert B. Davis | Washington | 35 | 7 00 |
| P. B. Burt | Wake | 79 | 15 80 |
| | | 2691 | \$538 20 |
| 1841 | | | |
| E. J. Peebles, | Northampton | 138 | 27 60 |
| W. S. Ballinger, | Johnston | 28 | 5 60 |
| Nelson G. Howell, | Haywood | 59 | 11 80 |
| Willie Jones, | Buncombe, | 25 | 5 00 |
| Eli McKee, | Macon, | 16 | 3 20 |
| Joseph S. Jones, | Warren, | 7 | 1 40 |
| James Edwards, | Wake, | 132 | 26 40 |
| Henry G. Hampton, | Surry, | 145 | 29 00 |
| William Keneday, | Davidson, | 25 | 5 00 |
| Joseph White, | Anson, | 71 | 14 20 |
| A. S. Mooring, | Martin, | 21 | 4 20 |
| Francis McGee, | Cherokee, | 60 | 12 00 |
| Alex. Johnson | Cumberland, | 79 | 15 80 |
| Ben. M. Selby, | Pitt, | 87 | 17 40 |
| Joseph M. Bogle, | Iredell | 176 | 35 20 |
| Wm. D. Pettway, | Edgecomb | 35 | 7 00 |
| Gustin Perry, | Franklin | 111 | 22 20 |
| Thomas Wilson, | Yancy, | 101 | 20 20 |
| John H. Pearson, | Burke, | 16 | 3 20 |
| John B. Dawson, | Craven, | 78 | 15 60 |
| Joshua A. Pool, | Pasquotank, | 41 | 8 20 |
| Enoch P. Daily, | Camden, | 46 | 9 20 |
| William D. Rascoe, | Chowan | 15 | 3 00 |
| R. B. Davis, | Washington | 210 | 42 00 |
| Martin Roberts, | Rockingham | 27 | 5 40 |
| James W. Doak, | Guilford | 145 | 29 00 |
| George Dill, | Carteret | 16 | 3 20 |
| Salathiel Stone, | Stokes | 197 | 39 40 |
| Ama B. Chusnut, | Sampson, | 58 | 11 60 |
| Alexander Kelly, | Moore | 25 | 5 00 |
| Richard G. Cowper, | Hertford | 93 | 18 60 |
| Eben Hearne, | Stanly | 33 | 6 00 |

STATEMENT (F) CONTINUED.

| SHERIFFS. | COUNTIES. | NO. OF POLLS. | AMOUNT. |
|----------------------|------------|------------------|----------|
| James W. Carson, | Rutherford | 103 | 20 60 |
| Charles Blanton, | Cleaveland | 10 | 2 00 |
| John R. Stamey, | Lincoln | 32 | 6 40 |
| Calvin Coor, | Wayne | 80 | 16 00 |
| William B. March, | Davie | 29 | 5 80 |
| Nathan Bagley, | Perquimons | 166 | 33 20 |
| Thomas P. Lea, | Caswell | 17 | 3 40 |
| Haywood Edmondson, | Green | 33 | 6 60 |
| William W. Brickell, | Halifax | 92 | 18 40 |
| William P. Taylor, | Chatham | 123 | 24 60 |
| John L. Christian, | Montgomery | 45 | 9 00 |
| Samuel Terry, | Richmond | 50 | 10 00 |
| Isaac White, | Randolph | 2 | 40 |
| | | 3098 | \$619 60 |

H GENERAL STATEMENT OF THE BANK OF THE

| | | | |
|---------------------------------------|--------------|-------------|--------------|
| Bills and notes discounted | 1,540,404 48 | | |
| Suspended Debt | 316,413 84 | 1856,818 32 | |
| | | 364,154 55 | |
| Bills of Exchange | | | *2220,972 87 |
| Real Estate | | | 40,094 07 |
| Pension Office | | 353 37 | |
| Pensioners under Act 1838 | | 2,340 45 | |
| Do do 1836 | | 5,390 78 | 8,084 60 |
| DUE FROM BANKS, &c. | | | |
| Merchants' Bank, Boston | | 6,712 12 | |
| Do do New York | 22,114 87 | | |
| Fulton do do | 13,887 23 | 36,002 10 | |
| Farmers' & Mech's Bank, Phil. | 44,192 26 | | |
| Bank United States do | 7,704 55 | | |
| Bank North America do | 1,427 23 | 53,324 04 | |
| Merchant's Bank, Baltimore | | 507 77 | |
| Bank Metropolis, Washington | | 15 | |
| Farmers' Bank, Norfolk | 7,080 52 | | |
| Bank of Virginia do | 1,252 91 | | |
| Exchange Bank do | 5,839 85 | | |
| Farmer's do Petersburg | 2,292 08 | | |
| Bank of Virginia do | 7,192 28 | | |
| Do do Portsmouth | 1,186 40 | 24,844 04 | |
| Planters' & Mech. B'k Charls'n | 661 60 | | |
| Chas. Edmonston do | 1,839 | 2,500 60 | |
| Bank Cape Fear, Washington | | 855 96 | 124,761 63 |
| <i>Notes of other Banks.</i> | | | |
| United States' Bank | | 1,180 | |
| Treasury United States | | 5,350 | |
| Virginia Banks | | 17,770 | |
| South Carolina Banks | | 99 | |
| North Carolina Banks | | 49,137 | 74,432 |
| <i>Specie.</i> | | | |
| Silver | | 303,657 73 | |
| old, Coin, | 143,509 62 | | |
| do Fullion, | 98 | | |
| do Mint Certificate, | 13,507 94 | 157,115 56 | |
| ents | | 83 20 | 460,856 49 |
| Vouchers unadjusted | | | 2,830 50 |
| Bills and Checks in <i>transitu</i> , | | | 12,030 84 |
| | | | 2944,063 00 |

STATE OF NORTH CAROLINA, 20th November, 1841.

| | | | |
|--|-------------|------------|-------------|
| Capital Stock | | | 1 500,000 |
| General Profit and Loss | | 244,116 65 | |
| Contingent Fund | | 141 61 | 224,258 26 |
| Treas. U. States for P. O. D. <i>Pension Office.</i> | | | 21 25 |
| Pensioners under Act 1828 | | 1,358 57 | |
| Do do 1832 | | 13,276 51 | |
| Do Invalid | | 9,390 70 | |
| Do Revolutionary | | 1,651 43 | 25,677 21 |
| Public Treasurer of N. C. <i>Due to Banks &c.</i> | | | 47,498 49 |
| O. J Camman, Cashier at N. Y | 1,926 19 | | |
| Bank of the State do | 379 61 | | |
| Mecks. Bank do | 1,894 29 | 4,270 09 | |
| Bank Cape Fear, Wilmington | 27,082 11 | | |
| do do Fayetteville | 6,427 04 | | |
| do do Raleigh | 406 66 | 33,915 81 | |
| Agency B'k U. S. Fayetteville | | 162 75 | |
| Merchants' Bank, Newbern | | 8,249 | 46,597 65 |
| <i>Notes in Circulation.</i> | | | |
| Issued by Principal Bank | | 133,431 | |
| Do Br. Newbern | 139,043 | | |
| Do " Tarboro' | 112,014 | | |
| Do " Fayetteville | 154,694 | | |
| Do " Wilmington | 218,114 | | |
| Do " Elizabeth City | 141,616 | 765,481 | 898,912 |
| Dividends unpaid | | | 1,389 25 |
| Deposites by Individuals | | | 179,708 89 |
| * Of this sum \$2,220,972 87 | | | |
| there is due by | | | |
| Directors | \$86,220 55 | | |
| Stockholders not Directors | 52,893 73 | | |
| | | | \$2,944,063 |

C. DEWEY, Cash'r.

STATEMENT I.

STATE OF THE MERCHANTS' BANK OF NEWBERN, Monday, May 31st, 1841.

| | | | |
|---|---------------------|-----------------------------------|--------------|
| Gold and Silver | \$43,904 17 | Capital Stock | \$225,000 00 |
| Notes of the Bank of the United States | 2,330 00 | Notes in circulation | 123,190 00 |
| Bank of Virginia | 170 00 | Deposites | 57,505 18 |
| Checks of Bank of the State of North Carolina | 3,382 73 | Dividends 7 and 9 unpaid | 300 50 |
| Notes of the Bank of Cape Fear | 4,058 00 | Do 10, 3½ per cent, just declared | 7,875 00 |
| Real Estate | 6,368 90 | Profit and Loss Surplus | 3,219 60 |
| Bills Receivable | 257,566 12 | | |
| Suspended Debt | 23,217 00 | | |
| Bills of Exchange | 24,946 98 | | |
| Protected Do. | 1,000 00 | | |
| Farmers and Mechanics' Bank, Philadelphia | 762 59 | | |
| Bank of the United States | 2,829 03 | | |
| Merchants' Bank Baltimore | 3,611 31 | | |
| Fulton Bank, New York | 12,757 28 | | |
| Bank of Cape Fear | 8,697 53 | | |
| Do at Washington | 1,483 64 | | |
| | <u>\$397,090 28</u> | | |

W. W. CLARKE, Cashier.

STATEMENT J.

State of the Bank of Cape Fear, on the morning of Monday, the 3d of January, 1842.

| | | | |
|----------------------|----------------|---------------------------------------|--------------|
| Capital Stock, | \$1,500.00 00 | Specie | \$365.548 00 |
| Notes in circulation | 962 196 00 | Deposit in Foreign Banks | 270,067 00 |
| Deposits | 217,269 00 | Notes of Foreign Banks | 125,422 00 |
| Dividends unpaid | 39,298 00 | Due by Banks in North Carolina | 18,766 00 |
| Due to Banks | 21,115 00 | Notes of North Carolina Banks on hand | 113,276 00 |
| Contingent Fund | 26,271 00 | Bills of Exchange in suit | 46,019 00 |
| Profit and Loss | 5,886 00 | Real Estate | 63,047 00 |
| | | Debt | 1,769,830 00 |
| | \$2,771,976 00 | | |

JOHN HILL, Cashier. \$2,771,976 00

STATEMENT K.

State of the Merchants' Bank of Newbern, on Tuesday, May 31st, 1842.

| | | | |
|---|--------------|------------------------------------|--------------|
| Gold and Silver, Notes and Checks of the Bank of the State and Cape Fear, | \$45,689 78 | Capital Stock, | \$225,000 00 |
| Notes of the Bank of Virginia, | 25,470 32 | Notes in circulation, | 110,720 00 |
| Real Estate, | 748 00 | Deposites, | 36,005 00 |
| Bills of Exchange, | 6,368 90 | Dividend No. 11, unpaid, | 185 50 |
| Prottested, do. | 20,653 46 | Do. 12, 3 per cent, just declared, | 6,750 00 |
| Bills receivable, | 900 00 | General profit and loss, | 2,317 68 |
| Suspended debt, | 264,818 81 | Bank of Cape Fear, | 4,989 12 |
| Bank of Cape Fear, Raleigh, | 16,575 95 | Do. at Washington, | 356 51 |
| Fulton Bank, New York, | 79 25 | | |
| | 5,019 34 | | |
| | <hr/> | | <hr/> |
| | \$386,323 81 | | 386,323 81 |

W. W. CLARKE, *Cashier.*

A STATEMENT OF THE REVENUE OF NORTH CAROLINA.

A Statement of the net amount of that branch of the Revenue which is received by Sheriffs, for the year 1841.

| Citizens. | Age. | Shed's Name. | Land Tax. | Ch. Tax Property Tax. | Mill Tax. | Shed Taxes. | Gate Tax. | Store Tax. | Poll Tax. | Taxes in whole, including Licenses. |
|-----------|------|---------------------|-----------|-----------------------|-----------|-------------|-----------|------------|-----------|-------------------------------------|
| Adrian | 32 | J. Joseph White | 20 | 32 | 20 | 10 | 10 | 10 | 10 | 80 |
| Adrian | 30 | G. George Phillips | 230 | 63 | 20 | 165 | 19 | 13 | 51 | 88 |
| Beaufort | 32 | John G. Grist | 513 | 512 | 144 | 61 | 21 | 31 | 66 | 66 |
| Barnes | 32 | J. John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Bladen | 32 | George W. H. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | 63 |
| Barnes | 32 | John Jones | 25 | 7 | 7 | 7 | 21 | 21 | 21 | 28 |
| Barnes | 32 | W. W. Hinton | 238 | 63 | 59 | 184 | 96 | 37 | 57 | |

ADDITIONAL RETURNS FOR 1840 AND
FORMER YEARS.

| | | | | | | | | | |
|------------|-----------------------|-------|------|------|---|---|---|---|---|
| Chatham | 1 John Harman | 9 15 | 4 51 | " | " | " | " | " | " |
| Chowan | 2 William D Rascoe | 5 95 | 2 86 | 1 15 | " | " | " | " | " |
| Moore | 3 Alexander Kelly | 10 90 | | 5 83 | " | " | " | " | " |
| Norhampton | 4 Ethelred J. Peebles | 5 77 | | 7 33 | " | " | " | " | " |
| Wayne | 5 William Thompson | 1 62 | | 1 13 | " | " | " | " | " |

[illegible]

RECAPITULATION OF RECEIPTS

[illegible]

| | | | | |
|--|--|--|--|---------------|
| | | | | \$1,800 47 |
| Balance is the total of the Pub. Treas. on 1st Nov. 1842 | | | | \$9,07,309 49 |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| 1842 | 1843 | 1844 | 1845 | 1846 | 1847 | 1848 | 1849 | 1850 | 1851 | 1852 | 1853 | 1854 | 1855 | 1856 | 1857 | 1858 | 1859 | 1860 | 1861 | 1862 | 1863 | 1864 | 1865 | 1866 | 1867 | 1868 | 1869 | 1870 | 1871 | 1872 | 1873 | 1874 | 1875 | 1876 | 1877 | 1878 | 1879 | 1880 | 1881 | 1882 | 1883 | 1884 | 1885 | 1886 | 1887 | 1888 | 1889 | 1890 | 1891 | 1892 | 1893 | 1894 | 1895 | 1896 | 1897 | 1898 | 1899 | 1900 | 1901 | 1902 | 1903 | 1904 | 1905 | 1906 | 1907 | 1908 | 1909 | 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 | 1925 | 1926 | 1927 | 1928 | 1929 | 1930 | 1931 | 1932 | 1933 | 1934 | 1935 | 1936 | 1937 | 1938 | 1939 | 1940 | 1941 | 1942 | 1943 | 1944 | 1945 | 1946 | 1947 | 1948 | 1949 | 1950 | 1951 | 1952 | 1953 | 1954 | 1955 | 1956 | 1957 | 1958 | 1959 | 1960 | 1961 | 1962 | 1963 | 1964 | 1965 | 1966 | 1967 | 1968 | 1969 | 1970 | 1971 | 1972 | 1973 | 1974 | 1975 | 1976 | 1977 | 1978 | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | 2034 | 2035 | 2036 | 2037 | 2038 | 2039 | 2040 | 2041 | 2042 | 2043 | 2044 | 2045 | 2046 | 2047 | 2048 | 2049 | 2050 | 2051 | 2052 | 2053 | 2054 | 2055 | 2056 | 2057 | 2058 | 2059 | 2060 | 2061 | 2062 | 2063 | 2064 | 2065 | 2066 | 2067 | 2068 | 2069 | 2070 | 2071 | 2072 | 2073 | 2074 | 2075 | 2076 | 2077 | 2078 | 2079 | 2080 | 2081 | 2082 | 2083 | 2084 | 2085 | 2086 | 2087 | 2088 | 2089 | 2090 | 2091 | 2092 | 2093 | 2094 | 2095 | 2096 | 2097 | 2098 | 2099 | 2100 | 2101 | 2102 | 2103 | 2104 | 2105 | 2106 | 2107 | 2108 | 2109 | 2110 | 2111 | 2112 | 2113 | 2114 | 2115 | 2116 | 2117 | 2118 | 2119 | 2120 | 2121 | 2122 | 2123 | 2124 | 2125 | 2126 | 2127 | 2128 | 2129 | 2130 | 2131 | 2132 | 2133 | 2134 | 2135 | 2136 | 2137 | 2138 | 2139 | 2140 | 2141 | 2142 | 2143 | 2144 | 2145 | 2146 | 2147 | 2148 | 2149 | 2150 | 2151 | 2152 | 2153 | 2154 | 2155 | 2156 | 2157 | 2158 | 2159 | 2160 | 2161 | 2162 | 2163 | 2164 | 2165 | 2166 | 2167 | 2168 | 2169 | 2170 | 2171 | 2172 | 2173 | 2174 | 2175 | 2176 | 2177 | 2178 | 2179 | 2180 | 2181 | 2182 | 2183 | 2184 | 2185 | 2186 | 2187 | 2188 | 2189 | 2190 | 2191 | 2192 | 2193 | 2194 | 2195 | 2196 | 2197 | 2198 | 2199 | 2200 | 2201 | 2202 | 2203 | 2204 | 2205 | 2206 | 2207 | 2208 | 2209 | 2210 | 2211 | 2212 | 2213 | 2214 | 2215 | 2216 | 2217 | 2218 | 2219 | 2220 | 2221 | 2222 | 2223 | 2224 | 2225 | 2226 | 2227 | 2228 | 2229 | 2230 | 2231 | 2232 | 2233 | 2234 | 2235 | 2236 | 2237 | 2238 | 2239 | 2240 | 2241 | 2242 | 2243 | 2244 | 2245 | 2246 | 2247 | 2248 | 2249 | 2250 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |







